

# *County of Mariposa*

## **California Environmental Quality Act Initial Study**

### **A. PROJECT INFORMATION:**

Project Title: **Commercial-Industrial-Manufacturing (CIM) Plan No. 2021-124**

Lead Agency: Mariposa County

Date: November 2021

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Location: The project site is located at 4808 Highway 140, Mariposa, Ca and is known as APN 012-180-056. It is in projected Section 26, Township 5 South, Range 18 East, M.D.B.&M, Rancho Las Mariposas. It is within the USGS 7.5-minute Mariposa topographic quadrangle at 37°28'15"N/119°57'40"W. The project site is located just south of the community of Mariposa.

Project Description: The Wildhaven Yosemite project is proposed to be developed on the current location of the 36-acre Yosemite Ziplines and Adventure Ranch property. The project proposes to construct 80 canvas tents in two (2) phases. The project applicant would develop accessory facilities associated with a campground, including platform tents, a bathhouse, parking spaces, on-site water and sewer facilities, and other support facilities.

Project phasing is proposed as follows:

#### **Phase I**

- Construction of approximately 40 basic wood tent platforms, ranging in size from 10' x 20' to 12' x 24'.
- Pitch and furnish 40 canvas tents on top of tent platforms, which at full occupancy would hold 100 guests (assuming 2.5 average guests per tent).
- Build an approximately 10' x 10' reception/check-in kiosk.
- Design and build the communal bathhouse, supporting both Phase I and Phase II. The estimated size of the facility is 20' x 60' with rustic post and beam construction housing men's and women's bathrooms and approximately 10 shower stalls and eight toilets in each. The

facility will be served by a new well (specific for a public water system) to be drilled on site and the property's existing electrical infrastructure.

- Construction of a septic system to support the bathhouse.
- Install an automatic gate with emergency controls for fire service access.
- Install non-permanent propane fire pits at the premium tents to reduce fire risk; the one common area non-permanent fire pit may switch to wood fuel in the winter months and would be managed by Wildhaven staff.

## **Phase II**

- Build and furnish another approximately 40 tents using the same Phase I specifications. Completion of this construction would bring total tent capacity up to 80, which would serve 200 guests at full occupancy (assuming 2.5 average guests per tent).
- Provide a portable bathroom trailer.

The site plan also shows the installation of a 50,000 gallon storage tank for fire fighting and back-up domestic supply. The existing horse barn will be removed as part of site development.

The project proponent may incorporate the existing zipline amenity into the campground project. The zipline would be for the sole use of overnight campers. The existing ropes course will be removed.

### Hours of operation:

The campground would be operated daily on a year-round basis. Hours of operation would be 24 hours a day with check-in between 3:00 p.m. – 7:00 p.m.

### Number of employees:

The campground will have a total of ten (10) employees; five (5) full time and five (5) part time. One (1) general manager would live in the existing on-site house. Three (3) maintenance staff may live in RVs on the site if allowed by code. The remaining six (6) employees would be front desk and housekeepers.

### Number of anticipated customers:

Fifty (50) to up to two hundred (200) maximum daily.

### Parking:

There are currently forty (40) parking spaces on site to serve the Yosemite Zipline and Adventure Ranch project. Forty-two (42) spaces will be added to bring total on-site parking spaces to eighty-two (82).

### Access:

Primary access will be from an existing driveway connected to State Highway 140. The internal roadway to access the site will be a two-lane 24-foot wide graveled road. The site plan shows that roadways accessing the project's tent areas will be one-way and graveled; where grades exceed 16%, the access driveways will be asphalted. Internal access roads and driveways will be

subject to state fire safe and local standards as well as applicable special occupancy park standards contained in Section 2106 (Roadways) of Article 2 (General Park Requirements), Title 25, Division 1, Chapter 2.2 – Special Occupancy Parks, California Code of Regulations.

Walking trails to access cabins from parking areas have been incorporated into project design.

General Plan/Zoning: The Mariposa County General Plan land use classification for the property is Rural Economic/Recreation subclassification. Recreation is a subclassification in the Rural Economic land use classification. The property is zoned Resort Commercial. Campgrounds are a permitted use in this zone. A CIM Plan is required to be approved by the Mariposa County Planning Commission and Board of Supervisors in order to develop property in the Resort Commercial Zone.

Site Development Characteristics: The site currently contains the Yosemite Ziplines and Adventure Ranch recreational development. The terrain and vegetation on the project site are typical of land at this elevation in the Sierra foothills. The site is at the roughly 2,000 to 2,500 foot elevation. The terrain is relatively flat to up to 25% slope. There are no significant drainages on the site that would be impacted by the project. There are ephemeral drainages on the site. Vegetation on the site consists of native grasses, blue oak, white oak, interior live oak, bull pine, as well as buck brush, manzanita, and other native shrubs.

Permitting and Operation: The proposed campground is considered a Special Occupancy Park and is therefore subject to all of the applicable development and operational standards contained in Title 25, Division 1, Chapter 2.2 – Special Occupancy Parks, California Code of Regulations. The campground will be permitted and monitored by the California Housing and Community Development Department.

The project applicant proposes to drill a well on the site to serve the bathhouse and restroom facilities. Should the project provide drinking water from the on-site well to the proposed number of guests, it will be required to obtain a transient, non-community water system permit from the California Department of Public Health, Division of Drinking Water and Environmental Management.

Project Studies: The following studies have been completed for this project and are available for review (except the Cultural Resources Survey) at the Mariposa County Planning Department. Recommendations and conclusions of these studies are discussed in this study and are part of the proposed project.

- a. Wildhaven Yosemite CIM Application – Preliminary Biological Resources Constraints Analysis, Environmental Science Associates, April 2021.
- b. Wildhaven Yosemite Project: Results of the 2021 Special-Status Plant Surveys, Environmental Science Associates, June 24, 2021.

- c. Cultural Resources Findings for the Wildhaven Yosemite Project, Environmental Science Associates, April 6, 2021. **(Confidential-Not available for public review).**
- d. Draft Wildhaven Yosemite Traffic Impact Analysis, Wood Rogers, April 19, 2021.
- e. Geotechnical Engineering Investigation – Proposed Wildhaven Yosemite Project, 4808 CA-140, Mariposa, California; Krazan & Associates, Inc. Geotechnical Engineering Division, May 21, 2021.
- f. Draft Wildhaven Yosemite Commercial, Industrial, & Manufacturing Site Plan (CIM) Application – Air Quality and Greenhouse Gas Technical Memorandum; Environmental Science Associates, July 2021.
- g. Fire Hazard Mitigation Plan – Wildhaven Yosemite Project, Dudek, June 2021.
- h. Preliminary Technical Report – Wildhaven Yosemite, Summit, July 12, 2021.

Uses of this Document

The following permits may be required and Responsible and Trustee Agencies may wish to use this document in the review of these permits.

- A National Pollutant Discharge Elimination System (NPDES) General Permit may be required from the Regional Water Quality Control Board for conveyed discharges into ephemeral drainages and Mariposa Creek.
- Stormwater Pollution Prevention Plan approved by the Central Valley Regional Quality Control Board (Region 5).
- Transient, non-community water system permit from the California Department of Public Health, Division of Drinking Water and Environmental Management.
- Special Occupancy Park permit and annual operating permits from the California Housing and Community Development Department.
- Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers.
- Clean Water Act Section 401 Water Quality Certification from the Central Valley Regional Water Quality Control Board.
- Section 1600 Lake and Streambed Alteration Agreement from the California Department of Fish and Wildlife.
- Encroachment permit from Caltrans for any work performed in the SR 140 right-of-way.
- Outdoor Advertising Permit from Caltrans for all outdoor advertising displays visible to traffic on State Highway facilities that are subject to provisions of the Outdoor Advertising Act (Business and Professions Code §5200 et seq.).

*Reference Documents:* All of the documents cited and relied upon in the preparation of this Initial Study are available at the County of Mariposa Planning Department, with the exception of the Cultural Resources Survey for this property, which is confidential, and are hereby incorporated into the record for this Initial Study.

**B. SUMMARY OF PROJECT IMPACT TO ENVIRONMENTAL FACTORS:**

(blank): no impact

**L:** Less than Significant Impact

**M:** Less than Significant Impact with Mitigation

**PS:** Potentially Significant

<b>L</b>	<i>Aesthetics</i>		<i>Agriculture/Forest Res.</i>	<b>L</b>	<i>Air Quality</i>
<b>M</b>	<i>Biological Resources</i>	<b>M</b>	<i>Cultural Resources</i>	<b>L</b>	<i>Energy</i>
<b>L</b>	<i>Geology/Soils</i>	<b>L</b>	<i>Greenhouse Gas Emissions</i>	<b>L</b>	<i>Hazards and Hazardous Mat.</i>
<b>L</b>	<i>Hydrology/Water Quality</i>		<i>Land Use/Planning</i>		<i>Mineral Resources</i>
<b>L</b>	<i>Noise</i>	<b>L</b>	<i>Population/Housing</i>	<b>L</b>	<i>Public Services</i>
<b>L</b>	<i>Recreation</i>	<b>L</b>	<i>Transportation</i>	<b>L</b>	<i>Tribal Cultural Res.</i>
<b>L</b>	<i>Utilities/Service Systems</i>	<b>L</b>	<i>Wildfire</i>	<b>M</b>	<i>Mandatory Findings of Significance</i>

This study found that the project has the potential to have significant impacts on biological resources; i.e. ephemeral drainages/riparian features; special status bat species; special status plant species and nesting raptors and migratory birds. The project also has the potential to have a significant impact on cultural resources and human remains that may be found during project construction. Mitigation measures are proposed to reduce these potentially significant impacts to less than significant levels. These measures are shown in the Biological Resources and Cultural Resources sections and Section D of this Initial Study.

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## Section A

### CEQA DETERMINATION OF IMPACT

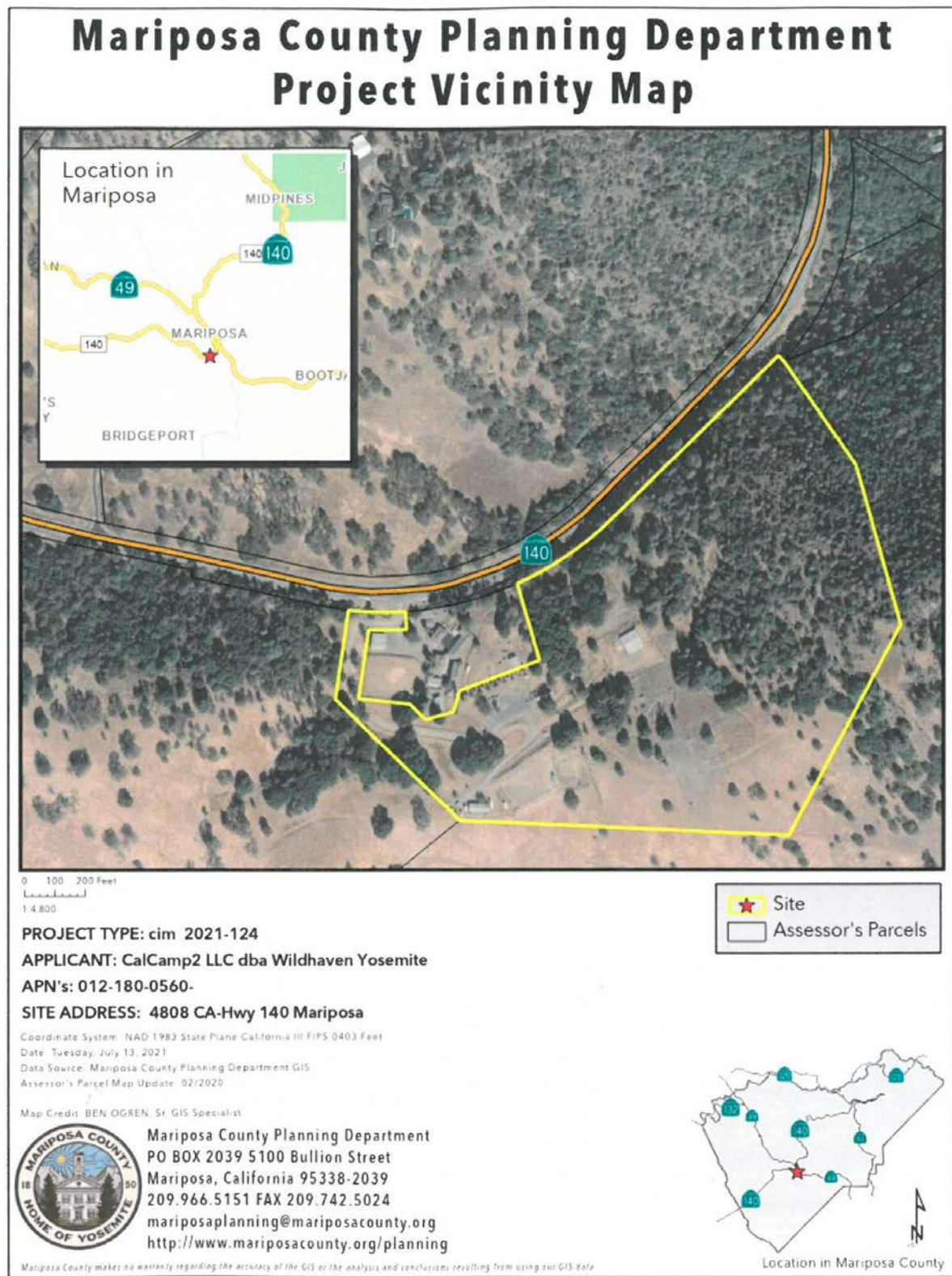
On the basis of this initial evaluation:

- ☐ 1) I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ 2) I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ 3) I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ 4) I find the proposed project MAY have a “potentially significant impact” or “Less Than Significant With Mitigation” impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ 5) I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects: (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

By: Alvaro Arias Date: 11/08/2021

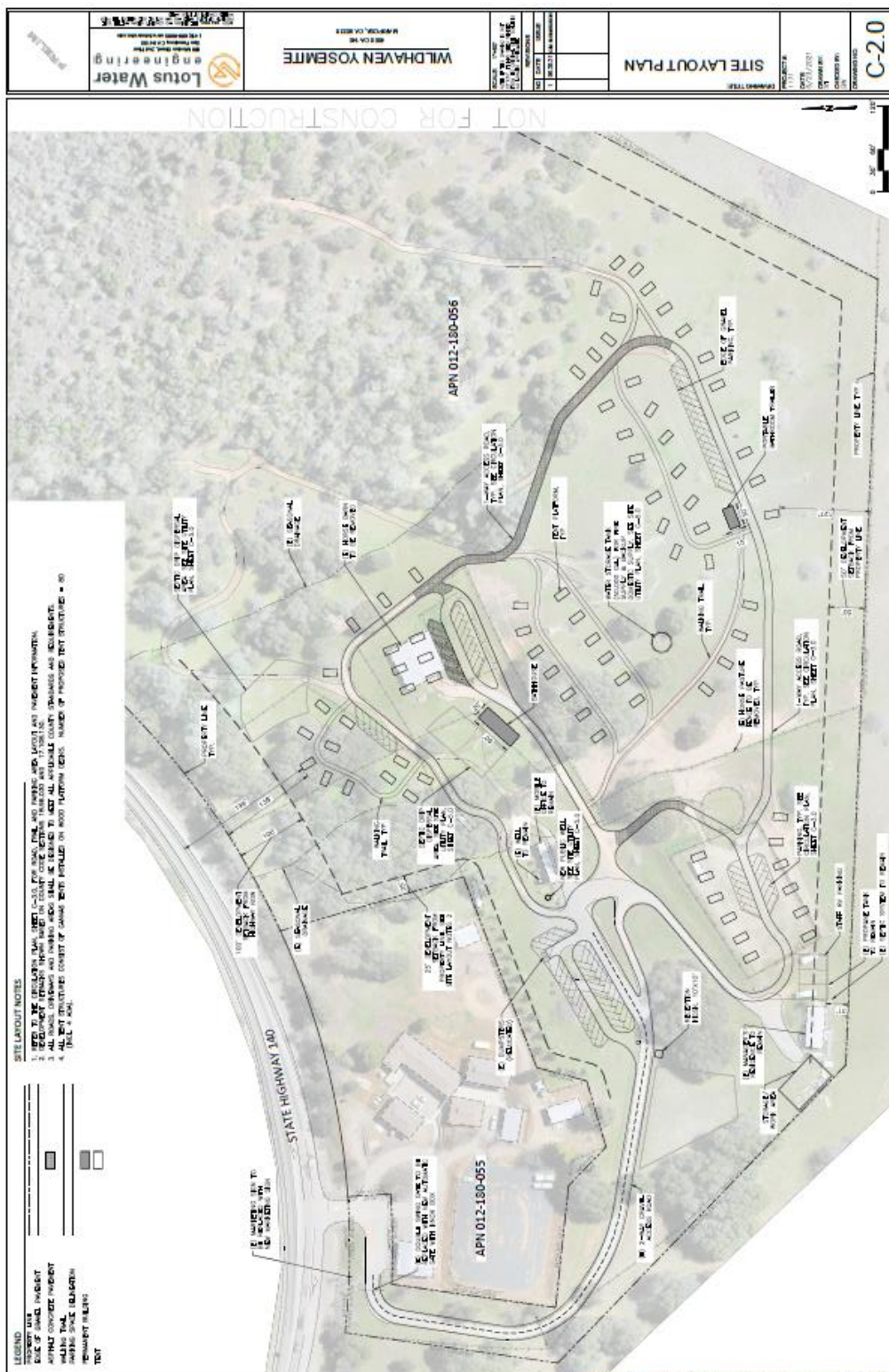
Title: Deputy Director Representing: County of Mariposa

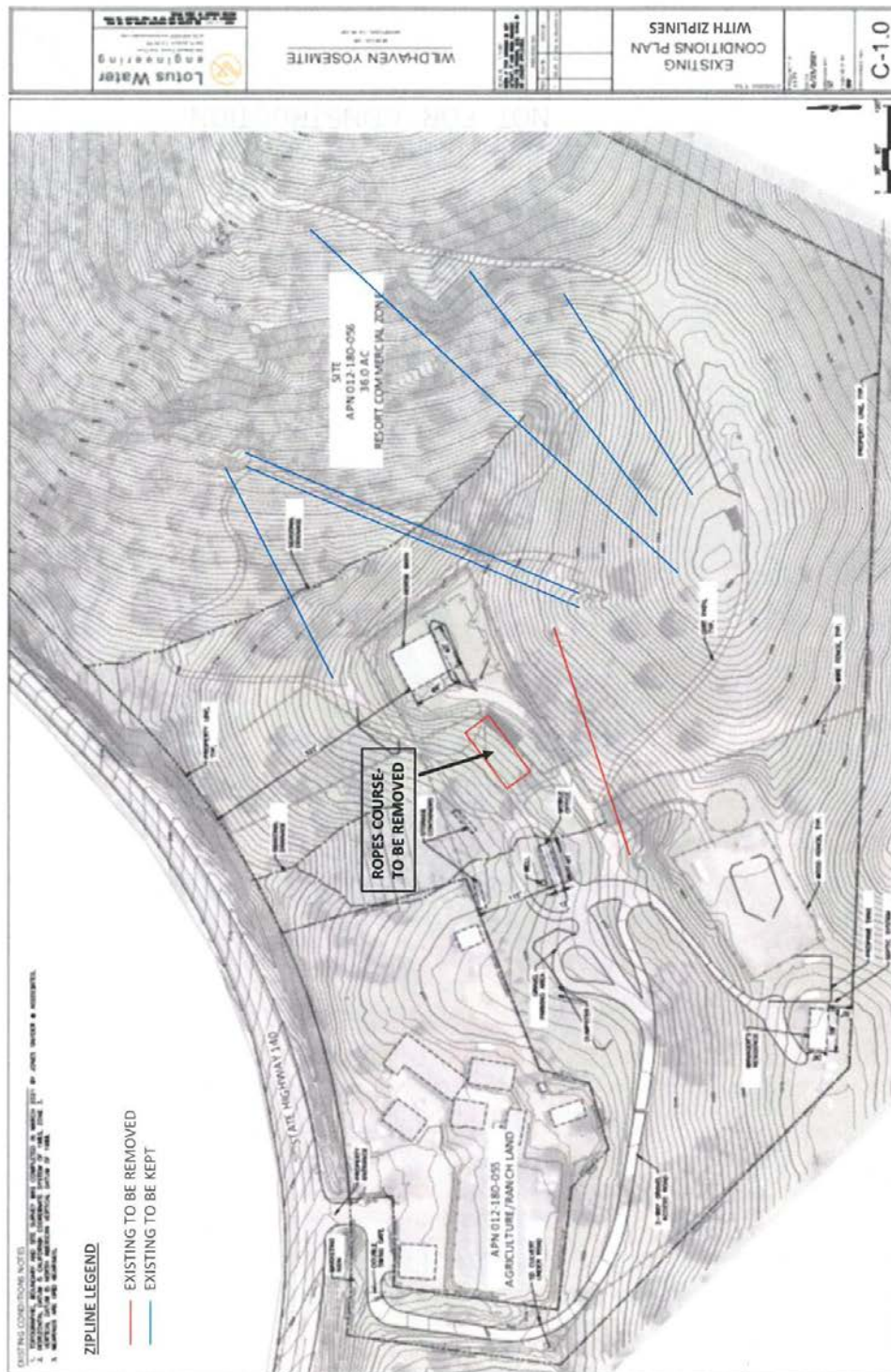
Signature: /s/





## Project Site Plan





## Section B

### CEQA ENVIRONMENTAL CHECKLIST

#### EVALUATION OF ENVIRONMENTAL IMPACTS

### 1. AESTHETICS

1. AESTHETICS Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Have a substantial adverse effect on a scenic vista?			√	
b) Substantially damage scenic resources, including but not limited to: trees, rock outcroppings, and historic buildings within a state scenic highway?				√
c) In nonurbanized areas, substantially degrade the existing visual character or quality of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			√	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			√	

#### **B.1. a, c**

A significant impact would occur if the project had a substantial adverse effect on a scenic vista or if it substantially degraded the visual character or quality of the site or its surroundings. The site has been developed with a commercial recreational project that includes a parking lot and a residence used for management of the project, as well as a horse barn and mobile office. The site also has structures associated with the ziplines. The proposed project will add 42 parking spaces, access roads within the project site, a bathhouse and 80 canvas tents.

The portion of the site currently developed and proposed to be developed will be largely screened from neighboring properties to the west, south and east due to distance, terrain and vegetation. Property in the immediate vicinity of the project site to the east, west, and south is within a large 2,700-acre ranch holding and is zoned for agricultural purposes and devoid of development. The immediately adjacent 3.70-acre parcel located between the project site and Highway 140 contains the headquarters of the Mariposa County Fire Department. Potential visual impacts on residences and roadways to the south of the project site will be significantly reduced if not entirely eliminated by distance, terrain and vegetation. The nearest residential structure to the north is located roughly 2,400 feet from the developed portion of the project site and, although at a higher elevation than the project site, vegetation and terrain would screen the project from this residence.

There are two elements involved in determining the level of significance of potential impacts to visual quality; the effect of the project on:

- 1) The rural character of the area, as that character is defined by the General Plan; and
- 2) Viewsheds in relation to the values expressed in the Mariposa County General Plan regarding noted types of sensitive landscape elements.

The General Plan EIR points of significance (Table 4.12-1, pg. 4-69) indicate potentially significant impacts will occur with development of *non-single family residential development* that does not adhere to related General Plan policies of Chapters 5, 7, 10, 11 and 14. Section 5.3.03(E)(3)(b) in the Rural Economic land use classification of the General Plan states “*Views from public rights-of-way in the foreground, middleground or background will not be obstructed by the bulk or height of a structure. The maximum obstruction of a viewshed must not be more than thirty-three (33) percent.*” As noted above, the project site is significantly screened from residences and roadways in the general vicinity by distance, terrain, and vegetation. Therefore, this project will not exceed this General Plan standard. Signage for the project will be subject to all standards contained in the County’s zoning ordinance.

The project will be subject to all General Plan and zoning standards relating to commercial development. In addition, all outdoor advertising displays visible to traffic on State Highway facilities that are subject to provisions of the Outdoor Advertising Act (Business and Professions Code §5200 et seq.) will be subject to an Outdoor Advertising Permit which is obtained from Caltrans. In addition, signage will be subject to all applicable standards for the Resort Commercial zone.

Given the nature of the development, i.e. dispersed tent areas and limited permanent structures and roadways in the campground project’s developed area, as well as the fact that roughly half of the 36-acre site will be left undisturbed by the project, the project meets the requirement that 40% of the project site must remain in open space as per the standards of the Resort Commercial zone. Site development will meet the General Plan standard that lot coverage in the Rural Economic land use classification shall not exceed 35% of the gross land area.

*Given these factors, the proposed project will have a less than significant impact on scenic vistas and viewsheds.*

**B.1.b State Scenic Highway**

A significant impact would occur if the project substantially damaged scenic resources within a state scenic highway. The project site is located adjacent to Highway 140. However, this section of Highway 140 does not carry “Scenic Highway” status, and terrain and vegetation will screen the project from travelers along the roadway. The project area is not located near, nor will it be visible from a state scenic highway. *Thus, the project will have no impact.*

**B.1.d. Create Light or Glare**

A significant impact would be one that creates a new source of substantial light or glare that would adversely affect day or nighttime views in the area. The Conservation and Open Space Element of the Mariposa County General Plan contains a policy and implementation measure relating to limiting light and glare impacts from new development.

Policy 11-1d states the following:

*Ensure that light sources in new development are compatible with rural character and that the light sources do not produce glare that interferes with vision.*

This policy is followed by Implementation Measure 11-1d(1) which states:

*Include as part of the comprehensive development standards:*

- *Lighting standards established by the International Dark Sky Association; and*
- *Require that building materials have a low reflective index.*

Conditions of approval for the CIM Plan will include requirements that the project be consistent with the General Plan standards relating to light and glare. In addition, as noted in 1.a, c above, the project site is significantly screened from residences and roadways in the general area by distance, terrain and vegetation. *Due to these factors, the project will have a less than significant impact on light and glare.*

## 2. AGRICULTURE and FOREST RESOURCES

2. AGRICULTURE RESOURCES Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				√
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				√
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526) or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?				√
d) Result in loss of forest land or conversion of forest land to non-forest use?				√
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				√

### **B.2.a Farmland**

A significant impact would be one that converts farmland designated as “prime,” “unique” or “farmland of statewide importance” to nonagricultural uses. The project is not located in an important farmland area. The 36.3-acre project site is identified as “Other” land on the 2018 Mariposa County Important Farmland Map prepared by the state



Department of Conservation under the Farmland Mapping and Monitoring Program. Other land is land not included in any other mapping category. Common examples of Other land include low density rural developments, which would describe this project site. The project site has been developed with commercial recreational uses. *Due to these factors, the project will have no impact on any important farmland category.*

#### **B.2.b Agricultural Zoning/Williamson Act Contract**

A significant impact would be one that causes a conflict with existing zoning for agricultural use or a Williamson Act contract. The project site is surrounded on three sides by a 2,700-acre ranch holding that is zoned Agriculture Exclusive and is under a Williamson Act contract. The project will not conflict with that zoning nor the Williamson Act contract. *The project will have no impact on this issue.*

#### **B.2.c Forest Land Zoning**

A significant impact would occur if the project resulted in a conflict with existing zoning for, or cause rezoning of, forest land. The project site is not zoned as forest land, nor will it cause rezoning of forest land as defined by Public Resources Code section 12220g or timberland as defined in Public Resources Code section 4526. The project site, with the highest elevation being under 2,500 feet, is primarily oak woodland habitat. *The project will have no impact on this issue.*

#### **B.2.d Loss or Conversion of Forest Land**

A significant impact would occur if the project resulted in the loss of forest land or conversion of forest land to a non-forest use. The 36.3-acre project site is not considered to be forest land. *The project will have no impact on this issue.*

#### **B.2.e Conversion of Farmland/Forest Land**

A significant impact would occur if the project resulted in the conversion of farmland or forest land to non-agricultural or non-forest use. The project will not change the existing environment in a manner that would lead to the conversion of farmland to a non-agricultural use, nor will it lead to the conversion of forest land to non-forest use. *The project will have no impact on this issue.*

### **B.3 AIR QUALITY**

<b>3. AIR QUALITY</b> – [Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.] Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			√	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			√	
c) Expose sensitive receptors to			√	

substantial pollutant concentrations?				
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			√	

An air quality and greenhouse gas analysis was prepared for the project by Environmental Science Associates. The analysis is titled Draft Wildhaven Yosemite Commercial, Industrial, & Manufacturing Site Plan (CIM) Application – Air Quality and Greenhouse Gas Technical Memorandum and is dated July 2021. The memorandum provides detailed discussion of the environmental setting; climate and topography; criteria air pollutants (CAPs); toxic air contaminants; health effects of CAPs; existing ambient air quality; regulatory setting, including state and national air quality standards and major sources; Mariposa County attainment status for CAPs; hazardous air pollutants; Mariposa County Air Pollution Control District (MCAPCD) CEQA thresholds of significance; Mariposa County General Plan goals, policies and implementation measures relating to air quality; and environmental impacts and mitigation measures. The analysis is on file at the Mariposa County Planning Department, 5100 Bullion Street, Mariposa, CA. The following summarizes the air quality section of that analysis.

### **B.3.a Air Quality Plan and Violation of Air Quality Standards**

A significant impact would be one that conflicts with or obstructs implementation of the applicable air quality plan. The Mariposa County State Implementation Plan (SIP) is a compilation of the MCAPCD rules and regulations. The proposed project would comply with the applicable MCAPCD rules and regulations; therefore, the proposed project would be consistent with the Mariposa County SIP, which is the applicable air quality plan for the project area. *Thus, the impact would be considered less than significant.*

The Mariposa County General Plan includes various policies and actions that both directly and indirectly address air quality issues and GHG emissions within the County. Many of the measures included in the general plan fall under the responsibility of the County for implementation, including requirements for implementing state and federal regulations as well as collaborating with other agencies. Although these measures do not fall under the responsibility of the proposed project and its proponents, *the proposed project would not conflict with or hinder the County's implementation of any of the measures related to air quality and the impact would be considered less than significant.*

Potential project impacts are associated with short-term construction impacts and long-term operational impacts.

### **Short-Term Construction Impacts:**

Unmitigated construction emissions that would result from the use of off-road equipment, haul trucks for exporting materials, on-road worker vehicle use, and vendor delivery trips were analyzed in the technical memorandum. The air quality analysis presented in the memorandum concluded that average daily construction emissions of criteria air pollutants would not exceed the MCAPCD thresholds of significance of 100 tons per year for any criteria air pollutant during construction, before the implementation of mitigation measures.

Prior to commencement of project construction, the project proponent will be required to submit a dust mitigation plan to address mitigation of dust during construction and grading.

### **Long-Term Operational Impacts:**

The air quality analysis concludes that the proposed project would not generate operational emissions of any criteria air pollutant that would exceed the MPAPCD thresholds of 100 tons per year.

Mass emissions associated with the proposed project would not result in a net increase of criteria air pollutants for which the project area is in non-attainment under an applicable federal or state ambient air quality standard. *The proposed project would have a less than significant with respect to emissions of criteria air pollutants.*

### **B.3.b Cumulative Impacts**

A significant impact would be one that results in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

Mariposa County is considered to be a nonattainment area for the state 1-hour ozone standard, and the federal 8-hour ozone standard. Construction and operational emissions of ozone precursors (reactive Organic Gases and nitrogen dioxide) could cumulatively contribute to pollutant concentrations that would exceed the federal and state ambient air quality standards. However, the mass emissions thresholds set by Mariposa County are representative of the allowable incremental contribution of air pollutants from projects that would continue to allow the Mountain Counties Air Basin, of which Mariposa County is a part, to progress towards attainment of the National Ambient Air Quality Standards and the California Ambient Air Quality Standards. Therefore, because the proposed project would not generate emissions during either construction or operation that would exceed the applicable emissions thresholds for criteria pollutants, *the proposed project would not make a significant contribution to cumulative impacts, and the impact would be considered less than significant.*

### **B.3.c Sensitive Receptors to Pollutants**

A significant impact would be one that exposes sensitive receptors to pollutant concentration. Sensitive receptors are defined as members of a population who are most sensitive to the adverse health effects of air pollution and the land uses where these populations groups would reside for long periods. These groups include children, elderly, the acutely ill and the chronically ill, and typical land uses include schools, residential care facilities, and hospitals.

The proposed project would generate emissions of Toxic Air Contaminants (TACs) during construction from the use of heavy duty construction equipment and from diesel-fueled haul trucks. Operation of the proposed project would generate emissions of TACs from testing and maintenance of the emergency standby diesel generator and operation of one communal propane fire pit and 30 propane fire pits, one each at the luxury guest tents. Operational emissions of TACs would be minimal due to the limited amount of time needed for testing and maintenance, approximately 26 hours per year. Furthermore, operation of the single wood-burning communal fire pit (converted from propane during winter) would be limited to three hours per day. The nearest sensitive receptor is a resident located greater than 1,000 feet north of the proposed project site; therefore, the receptor is outside of the 1,000-foot zone of influence generally recommended for evaluating health risk impacts. Construction impacts would be short term. *Due to these factors, TAC emissions generated from the proposed project are unlikely to result in significant health impacts to sensitive receptors.*

### **B.3.d Other Emissions Affecting Substantial Number of People**

A significant impact would be one that results in other emissions (such as those leading to odors) adversely affecting a substantial number of people. Typical land uses that have the potential to generate continuous odorous impacts and odor complaints during operation include wastewater treatment plants, landfills, confined animal facilities, composting stations, food manufacturing plants, refineries, and chemical plants. The proposed project is a campground that does not include land uses that are identified as common odor sources. *Therefore, operation of the proposed project would result in a less than significant impact with respect to odorous emissions.*

## **B.4 BIOLOGICAL RESOURCES**



<b>4. BIOLOGICAL RESOURCES</b> Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		√		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?		√		
c) Have a substantial adverse effect on state or federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		√		
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		√		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			√	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				√

A Preliminary Biological Resources Constraints Analysis for the Wildhaven Yosemite CIM Application was prepared for the project site by Environmental Science Associates. The analysis is dated April 2021. The purpose of this constraints-level analysis is to document information on existing biological resources in the study area as well as provide information on potential biological and regulatory constraints associated with implementation of the proposed project.

Environmental Science Associates also conducted special status plant surveys of the Wildhaven Yosemite project site on April 27, 2021 and June 15, 2021. The report of the results of those surveys is dated June 24, 2021. The floristic survey of the project site was performed in accordance with California Department of Fish and Wildlife guidelines. The surveys were appropriately timed to encompass the identification periods of special-status plant species considered to have at least a moderate potential to occur within the survey area. The objectives of these surveys were to document the floristic diversity and to determine the presence or absence of special-status plants within the project site. The entirety of the study area was surveyed on foot by walking transects with approximately 10 feet apart such that visual coverage was 100 percent.

The following summary reflects the information contained in the biological reports for the site. The full biological reports are available for review at the Mariposa County Planning Department.

Habitats within the study area have the potential to support a number of special-status species. Special-status species are protected under a number of state and federal regulations including the Federal Endangered Species Act, Migratory Bird Treaty Act, California Endangered Species Act and the California Fish and Game Code. Future proposed projects may potentially impact these species.

Potentially impacted species are as follows:

- Pallid bat and Townsend's big-eared bat
- Special-status plants
- Nesting raptors and migratory songbirds

#### **B.4.a Candidate, Sensitive or Special Status Species**

A significant impact would be one that has a substantial adverse effect on any candidate, sensitive or special status species.

##### **Pallid bat and Townsend's big-eared bat:**

Habitats and buildings within the project site provide suitable roosting and foraging habitat for these bat species. The project could result in the removal of trees and/or buildings potentially used for roosting or cause other modifications to habitat. In addition, construction-related activities would temporarily elevate noise levels in areas on and surrounding the construction zone. If construction activities occur during the bat breeding season (April 1<sup>st</sup> to August 31<sup>st</sup>), disturbance to roosting sites could have a significant effect on special-status bat species if active maternity roosts are present. *Potential impacts to special-status bat species are considered potentially significant and the following mitigation measure is proposed to reduce these impacts to less than significant levels.*

##### **Mitigation Measure 4.a.1:**

*Pre-construction field surveys for special status bat species during the breeding season (April 1<sup>st</sup> to August 31<sup>st</sup>) shall be conducted by a qualified biologist to determine whether active roosts are present on site, or within 100 feet of the project boundaries. Areas off the project site that are inaccessible due to private property restrictions shall be surveyed using binoculars from the nearest vantage point. Field surveys shall be conducted early in the breeding season before any construction activities begin, when bats are establishing maternity roosts but before pregnant females give birth (April through early May). Surveys shall be conducted no more than seven days prior to the onset of construction. If no roosting bats are found, then no further mitigation is required. If suitable habitat and/or bat signs are detected, a biologist shall conduct evening visual emergence surveys from one-half hour prior to sunset to one to two hours after sunset for a minimum of two nights. If roosting bats are found, the disturbance of the maternity roosts shall be avoided by halting construction until the end of the breeding season, or a qualified bat biologist excludes the roosting bats in consultation with the California Department of Fish*

*and Wildlife. If construction activities begin prior to April 1, no pre-construction surveys are required. If at any time during the roosting season construction stops for a period of two weeks or longer, pre-construction surveys shall be conducted prior to construction resuming. The Planning Department shall be provided a copy of the results of any survey conducted and evidence that any required mitigation measures have been implemented prior to initiation of construction or grading activities.*

**Monitoring for Mitigation Measure 4.a.1:**

This mitigation measure will be monitored by the Mariposa County Planning Department through the project construction permitting process.

**Special status plants:**

Seven special-status plant species have a moderate potential to occur in the project area. Information on the blooming season for the species was used to time when the surveys would occur. One special-status plant species, Mariposa clarkia, was observed during the June 15, 2021 survey. This species is not federally or state listed, but the California Native Plant Society has classified its California Rare Plant Rank as a 1B.2. (fairly threatened in California (20-80% occurrences threatened). Four individuals were found in the montane hardwood-conifer woodlands in the project site towards the eastern portion of the study area. This is a portion of the 36 acres that is steep and not slated for any development as part of the Wildhaven Yosemite project.

There is more suitable habitat present within the study area, beyond where Mariposa clarkia was observed, but no other individuals were found. No other special-status plant species were observed during the two surveys, nor were there any sensitive natural communities observed. *Potential impacts to special-status plant species at the time of project construction are considered potentially significant and the following mitigation measure is proposed to reduce these impacts to a less than significant level.*

**Mitigation Measure 4.a.2:**

*Pre-construction field surveys for special status plant species identified as having a medium to high potential to occur within the habitats identified on the project site shall be conducted by a qualified biologist prior to commencement of construction activities. Surveys shall be conducted following the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (California Department of Fish and Wildlife, 2018). Surveys are to be conducted in April and June of the year construction is to commence. As an example, if construction is to commence in August of a particular year, surveys conducted in April and June of that year will satisfy the pre-construction survey requirement. Surveys from prior years may be used in a prescribed circumstance. For example, if construction is to commence in May of a particular year, surveys from April of that year and June of the prior year will satisfy the pre-construction survey requirement. If such species are found, the project proponent shall prepare and implement a Transplantation and Monitoring Plan. The Plan shall be subject to review and approval by the California Department of Fish and Wildlife prior to commencement of any construction activities within the special-status plant species area. The Plan shall describe the intent and anticipated success of transplanting, and specific success criteria for transplanted plants and related long-term protection and management of transplanted plants. The Planning Department shall be provided a copy of the results of any pre-construction surveys conducted on the project site and any approved Transplanting and Monitoring Plan and evidence that any required mitigation measures contained in the Plan have been implemented prior to initiation of construction or grading activities.*

**Monitoring for Mitigation Measure 4.a.2:**

This mitigation measure will be monitored by the Mariposa County Planning Department through the project construction permitting process.

**B.4.b, c Riparian or Other Sensitive Natural Community/Wetlands**

A significant impact would occur if the project had a substantial adverse effect on any riparian habitat or other sensitive natural community or wetlands. The project site contains two ephemeral channels/drainage swales. A formal delineation of potentially jurisdictional wetlands and other waters of the U.S. and/or state within the study area has not been conducted. However, the project site supports aquatic resources in the form of ephemeral channels that may be subject to U.S. Army Corps of Engineers jurisdiction under Section of 404 of the Clean Water Act or protection under Porter-Cologne Act or California Fish and Game Code Section 1600, et seq.

As currently designed, the project will not result in direct impacts to potential jurisdictional wetlands and other waters of the U.S. and/or state. However, indirect impacts could result from construction activities in close proximity to these features. In general, indirect impacts can include fragmentation of habitat, altered hydrology, and increased erosion and turbidity through soil disturbance. *Potential impacts to riparian features are considered potentially significant and the following mitigation measure is proposed to reduce these impacts to a less than significant level.*

**Mitigation Measure 4.b.1:**

*The project proponent shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall be prepared in accordance with State Water Resources Control Board standards and shall include a grading and erosion control plan required for all construction plans to address potential erosion control during construction. All construction plans and activities shall implement Best Management Practices (BMP) to provide effective erosion, runoff, and sediment control. BMPs may include, but not be limited to, the use of straw waddles protecting down slope water features from construction activities, the use of silt fencing, or placement of construction exclusion fencing around stream or wetland resources in the vicinity of an activity. BMPs shall be selected to achieve maximum sediment removal and to represent the best available technology that is economically achievable.*

*If the project design changes and direct impacts to aquatic resources are anticipated, prior to the commencement of construction or grading activities in aquatic resources (such as ephemeral channels) within areas proposed for development, the project proponent shall acquire all applicable state and federal wetland and waters permits.*

*The Planning Department shall be provided a copy of all permit applications and evidence of approval of permits by applicable agencies, and evidence that any required measures approved by applicable agencies to protect water features have been implemented prior to initiation of construction or grading activities.*

**Monitoring for Mitigation Measure 4.b.1:**

This mitigation measure will be monitored by the Mariposa County Planning Department through the project construction process.

**B.4.d. Migration/Native Wildlife Nursery Sites**

A significant impact would be one that interferes with the movement of native resident or migratory fish or wildlife species, migration corridors, or one which impedes the use of native wildlife nursery sites. The study area is not situated within a known wildlife movement corridor. Any disturbance to wildlife movement as a result of the project would be temporary in nature. The entire site would still be available for wildlife movement due to the location and low degree of overall impacts at the landscape level. *Impact to wildlife movement corridors is expected to be less than significant.*

Portions of the Wildhaven Yosemite property may support nesting birds, including, but not limited to, common migratory birds and raptors. Construction of the project may result in the removal of mature trees and other

vegetation which may serve as perching or nesting sites for raptors and migratory birds, including raptors. Vegetation removal may result in the loss of nest sites. Human disturbances and noise from construction activities have the potential to cause nest abandonment and death of young or loss of reproductive success at active nests where they are located near project activities. Potential impacts to birds would be limited to the timing of the construction activities. During the non-breeding season, it is anticipated that any migratory birds or raptors using mature trees as perching sites for foraging would vacate the site upon the initiation of construction activities.

Project impacts to nesting raptors are potentially significant. *The following mitigation measure is proposed to reduce these potentially significant impacts to less than significant level.*

**Mitigation Measure 4.d.1:**

*Pre-construction surveys by a qualified biologist for active nests in suitable nesting habitat for raptors and migratory birds within 500 feet of the construction area during the nesting season (February 1 to September 15) shall be conducted. Areas off the project site that are inaccessible due to private property restrictions shall be surveyed using binoculars from the nearest vantage point. The survey shall be conducted no more than seven days prior to the onset of construction. If no active nests are identified during the pre-construction survey, no further mitigation is necessary. If construction activities begin prior to February 1, it is assumed that no birds would nest in the project site during active construction activities and no pre-construction surveys are required. If at any time during the nesting season construction stops for a period of two weeks or longer, pre-construction surveys shall be conducted prior to construction resuming. If active nests are found during the survey, the project proponent shall implement mitigation measures to ensure that the species would not be adversely affected, which would include establishing a no-work buffer zone as, approved by the California Department of Fish and Wildlife, around the active nest. Measures shall include, but would not be limited to:*

- 1. For trees with active nests, the project proponent shall conduct any tree removal activities required for project construction outside of the migratory bird breeding season (February 1 through September 15).*
- 2. If active nests are found on or within 500 feet of the project site, then the project proponent shall establish no disturbance buffers for active nests of 250 feet for migratory bird species and 500 feet for raptor species until the breeding season has ended, or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Depending on the conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without impacting the breeding effort. Nests that are inaccessible due to private property restrictions shall be monitored using binoculars from the nearest vantage point. Construction activities may be halted at any time if, in the professional opinion of the biologist, construction activities are affecting the breeding effort.*
- 3. Depending on conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without impacting the breeding effort. In this case (to be determined on a case-by-case basis), the nest(s) shall be monitored by a qualified biologist during construction within the buffer. If, in the professional opinion of the monitor the project would impact the nest, the biologist shall immediately inform the construction manager and the project proponent shall notify the California Department of Fish and Wildlife. The construction manager shall stop construction activities within the buffer until the nest is no longer active. Completion of the nesting cycle shall be determined by a qualified biologist. If construction begins outside of the migratory bird breeding season (February 1 through September 15), then the project proponent is permitted to continue construction activities throughout the breeding season.*

*The Planning Department shall be provided a copy of the results of any survey conducted and evidence that any required mitigation measures have been implemented prior to initiation of construction or grading activities.*

**Monitoring for Mitigation Measure 4.d.1:**

This mitigation measure will be monitored by the Mariposa County Planning Department through the project construction permitting process.

**B.4.e Ordinances and Policies Protecting Biological Resources**

A significant impact would be one that conflicts with local ordinances and policies protecting local biological resources. The preliminary biological resources constraints analysis did not identify any project impacts on ordinance or policies protecting biological resources. General Plan policy 11-4a(8) requires that the County comply with federal and state regulations to require measures to protect and avoid, to the extent feasible, sensitive native plant communities. Public Resources Code Section 21083.1 requires that the County determine whether the project will have a significant adverse effect on an Oak Woodland. If the County determines that a significant effect may occur, the County shall require one or more of the following mitigation measures: 1) Conservation easements; 2) planting to replace dead or dying trees, (managed for a maximum of 7 years; fulfills a maximum of one-half of mitigation requirement), 3) restoration of former woodland habitat; or 4) other measures developed by the County. The General Plan EIR "Points of Significance" state that a loss of greater than 25% of each sensitive native plant community on a site is considered a potentially significant impact. Roughly half of the 36-acre site will not be disturbed by development of the campground project. This roughly eastern half of the site is heavily wooded and is outside the perimeter of the developed campground area. Vegetation management has occurred on the developed portion of the project site with the operation of the Yosemite Ziplines and Adventure Ranch project and this area is relatively open and not heavily wooded as is the eastern portion of the site. It is likely that as many trees as possible will be retained for the purposes of aesthetics and shading as the campground project is developed. The site plan for the project shows that the development of access roads and campground amenities will allow a substantial amount of the existing native vegetation, including oak trees, to remain undisturbed. Less than 25% of the oak woodland habitat on the project site will be impacted by development. *Therefore, the project will have a less than significant impact on this issue.*

**B.4.f Conservation Plans**

A significant impact would be one that conflicts with any conservation plan. The project site has already been developed with the Yosemite Ziplines and Adventure Ranch commercial recreation project. The biological resources analysis did not find that project would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. *The project will have no impact on this issue.*

**B.5 CULTURAL RESOURCES**

<b>5. CULTURAL RESOURCES</b> Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?				√
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?				√

c) Disturb any human remains, including those interred outside of dedicated cemeteries?		√		
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A cultural resources survey of the project site was conducted by Environmental Science Associates (ESA) on March 22, 2021. All areas of proposed ground disturbance were walked to provide an overall assessment of existing conditions. Visibility was good, though there were trees and other foliage through the surveyed area. Overall, there was 80 percent visibility of the surveyed area.

In addition, as part of the cultural resources survey of the site, ESA contacted the Native American Heritage Commission (NAHC) on March 5, 2021 to request a search of the NAHC's Sacred Lands File (SLF) and a list of Native American representatives who may have an interest in the project. The NAHC's reply indicated that the SLF has no record of any cultural resources in the project vicinity.

#### **B.5.a, b Historic/Archaeological Resources**

A significant impact would be one that would cause a substantial adverse change in the significance of a historic or archaeological resource. The cultural resources survey of the project site revealed no cultural resources or other evidence of past human use or occupation, besides the modern features located on the project site. *The project will have no impact on these issues.*

There is the potential for historic and/or archaeological resources to be discovered during project construction. Mitigation Measure 5.c.1 below addresses this potential impact. Implementation of this measure will reduce potentially significant impacts on these resources to a less than significant level.

#### **B.5. c Human Remains**

A mitigation measure consistent with the California Native American Historical, Cultural and Sacred Sites Act will reduce any potential impact to cultural resources and remains found during project implementation to a less than significant level. This mitigation measure is as stated below.

##### **Mitigation Measure 5.c.1:**

*In the event human remains, artifacts, or potentially significant cultural resources are discovered during ground disturbance on the project site, a Native American monitor shall be on-site for the duration of ground disturbance. During road grading, soil testing and/or construction, or any activity that involves ground disturbance necessary to implement the project, if any signs of prehistoric, historic, archaeological, paleontological resources are evident, all work activity within fifty (50) feet of the find shall stop and the Mariposa County Planning Department shall be notified immediately. No work shall be done within fifty (50) feet of the find until Planning has identified appropriate measures to protect the find and those measures have been implemented by the applicant. Protection measures for the site may include, but not be limited to, requiring the applicant to hire a qualified archaeologist who shall conduct necessary inspections and research, and who may supervise all further ground disturbance activities and make any such recommendations as necessary to ensure compliance with applicable regulations. In addition to the Planning Department, the Mariposa County Coroner and the Native American Heritage Commission (NAHC) shall be notified should human remains be discovered. If the remains are determined by the Native American Heritage Commission to be Native American, the NAHC guidelines shall be adhered to in treatment and disposition of the remains. Representatives of the Most Likely Descendant shall be requested to be on-site during disturbance and/or removal of human remains.*

**Monitoring for Mitigation Measure 5.c.1:** The applicant or his on-site designee shall be responsible for ensuring compliance with this mitigation and the Mariposa County Planning Department will monitor the measure through the project construction permitting process.

Caltrans comments on the project state that Caltrans has an environmentally sensitive area recorded at SR 140 Post Mile (PM) 19.92 – 20.70. If any work occurs within the right-of-way (ROW) at the project location of SR 140 20.419, tribal consultation will be required at this location. Caltrans requests the project proponent coordinate with Caltrans prior to submitting an encroachment permit application. This issue will be addressed during review of any encroachment permit application for project work conducted in the SR 140 ROW.

## B.6 ENERGY

6. ENERGY Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			√	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			√	

### **B.6. a, b Energy**

A significant impact would occur if the project resulted in potentially significant environmental impact due to wasteful, inefficient or unnecessary energy consumption or conflicted with renewable energy or energy efficiency plans. The proposed project is a campground, the operation of which would require minimal energy usage in comparison to other more intensive commercial/recreational projects. During construction there would be a temporary consumption of energy resources required for the movement of equipment and materials; however, the duration is limited due to the phasing of construction, and the limited area of construction. Compliance with local, state, and federal regulations would reduce short-term energy demand during the project's construction to the extent feasible, and project construction would not result in a wasteful or inefficient use of energy. Overall, the construction and operation of this proposed project would not require the creation of a new source of energy.

There are no unusual project characteristics or processes involved in this project that would require the use of equipment that would be more energy intensive than is used for comparable activities, or the use of equipment that would not conform to current emissions standards and related fuel efficiencies. Furthermore, through compliance with applicable requirements and/or regulations during the building permit process, the project would be consistent with state requirements, and would not consume energy resources in a wasteful or inefficient manner.

State and local agencies regulate the use and consumption of energy through various methods and programs. As a result of the passage of Assembly Bill 32 (AB 32) which seeks to reduce the effects of Greenhouse Gas (GHG) Emissions, a majority of the state regulations are intended to reduce energy use and GHG emissions. These include, among others, California Code of Regulations Title 24, Part 6–Energy Efficiency Standards, and the California Code of Regulations Title 24, Part 11– California Green Building Standards (CALGreen). In Mariposa County, the County's Building Department enforces the applicable requirements of the Energy Efficiency Standards and Green Building Standards in Title 24. Accordingly, the proposed project would not conflict with or obstruct state or local plans for renewable energy or energy efficiency.

*The project will have a less than significant impact on the issue of energy.*



## B.7 GEOLOGY AND SOILS

7. GEOLOGY AND SOILS -- Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			√	
ii) Strong seismic ground shaking?			√	
iii) Seismic-related ground failure, including liquefaction?			√	
iv) Landslides?			√	
b) Result in substantial soil erosion or the loss of topsoil?			√	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			√	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			√	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?			√	
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			√	

A Geotechnical Engineering Investigation of the project site was conducted by Krazan & Associates. The report of that investigation is dated May 21, 2021 and is on file at the Mariposa County Planning Department, 5100 Bullion Street, Mariposa, CA. The following summarizes that report.

The purpose of the investigation was to evaluate the soil and groundwater conditions at the site, to make geotechnical engineering recommendations for use in design of specific construction elements, and to provide criteria for site preparation and engineered fill construction. The investigation included a site reconnaissance to evaluate surface conditions, a field investigation consisting of drilling seven borings to depths ranging from seven to 16 feet and performing three percolation tests at depths of four to five feet to evaluate subsurface conditions, performing laboratory tests on representative soil samples obtained from the borings to evaluate the physical and index properties of the subsurface soils, and evaluating the data obtained to provide recommendations for use in the project design and preparation of construction specifications.

The investigation focused on potential constraints on the construction of the communal bathhouse, which is anticipated to have a concrete slab-on grade floor and shallow foundations; the onsite wastewater disposal system associated with the communal bathhouse; and miscellaneous underground utilities and minor roadway improvements.

The investigation report concludes that subject site and soil conditions, with the exception of the surface soils that have a variable density, moderate shrink/swell potential and poor absorption characteristics, appear to be conducive to the development of the project.

#### **B.7.a, c      Faults, Ground Shaking, Ground Failure and Landslides/Unstable Soil**

A significant impact would be one that exposes people or structures to loss, injury or death due to seismic or landslide activity. The geotechnical engineering investigation states that there are no active fault traces in the project vicinity. Accordingly, the project is not within an Earthquake Fault Zone (Special Studies Zone). However, it is anticipated that the project site will be subject to some ground shaking during a seismic event. Secondary hazards from earthquakes include rupture, seiche, landslides, liquefaction, and seismic settlement. Since there are no known faults within the immediate area, ground rupture from surface faulting should not be a potential problem. Seiche and landslides are not hazards in the area either. Considering the seismic setting and relatively shallow depth to bedrock at the project site, the risk of liquefaction (sudden loss of shear strength in a saturated cohesionless soil) or seismic settlement occurring during a seismic event is considered negligible.

Future construction on the project site will be subject to the 2019 California Building Code (CBC) or update, depending on when construction occurs and the regulations in effect at the time. The geotechnical investigation conducted for the site measured soil conditions against seismic parameters contained in the 2019 CBC. Site Class per Section 1613 of the code and American Society of Civil Engineers 7-16, Chapter 20, is based upon the site soil conditions. The investigation concludes that Site Class C is most consistent with the subject site soil conditions. For seismic design of the structures based on the seismic provisions of the 2019 CBC, the investigation recommends specific seismic parameters as shown on page 16 of the geotechnical engineering investigation. All construction in California is required to comply with all CBC standards with respect to the seismic design category applicable to a specific area. *Thus, the project will have a less than significant impact on these issues.*

#### **B.7.b      Soil Erosion**

A significant impact would be one that results in substantial soil erosion or loss of topsoil. The preparation of the site for construction will entail grading for roads/driveways and structures.

The 2019 California Code of Regulations Title 24, Parts 1-12 standards, contains drainage plan requirements to ensure that any changes to existing drainages are done in such a way as to ensure that the function and capacity of the affected drainage course is maintained following construction. Soil compaction standards, provisions for

sediment control during construction, and re-vegetation following construction are contained in this code language. Onsite inspections by the Building Department are conducted to ensure compliance with these requirements.

In addition, if more than one acre of land will be disturbed, the project will be subject to a National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated with Construction Activity from the Regional Water Quality Control Board. This permitting is part of the existing regulatory environment and is addressed in the standard conditions of approval for projects in Mariposa County.

These adopted policies and ordinance requirements, the required permits and onsite inspections, will ensure *a less than significant impact* from future grading activities associated with implementation of the development of the site and access roads.

#### **B.7.d Expansive Soils**

A significant impact would occur if the project is placed on expansive soils and creates substantial risk to life or property. Construction on the project parcel will require compliance with 2019 California Code of Regulations Title 24, Parts 1-12 standards for the construction of foundations. The California Building Code standards are implemented through the building permit process. Onsite inspections by building inspectors are conducted to ensure construction is in compliance with these standards. Site construction will occur in compliance with the recommendations contained in the geotechnical investigation of the project site conducted by Krazan & Associates. Based upon the existing permit requirements in place, the implementation of 2019 California Code of Regulations Title 24, Parts 1-12, engineering recommendations for construction on the project site, and the onsite inspections, *the project will have a less than significant impact.*

#### **B.7.e Septic Systems**

A significant impact would occur if the soil on site is unable to support the septic tank/disposal field system proposed to be installed for the project. The geotechnical engineering investigation of the project site found that field exploration and percolation testing indicate the onsite soil/weathered bedrock profile is not suitable for the installation of a septic system with a standard disposal field that utilizes leach lines, leaching beds, or seepage pits. However, a mounded leach field or some other engineered onsite wastewater disposal system, such as an aerobic pretreatment system with a raised sand bed, may be feasible. The geotechnical investigation provides recommendations for a mound leach field system. The Mariposa County Environmental Health Unit (EHU) states that a full design of the proposed system including soil profile and percolation test results must be submitted for review and approval at the building permit phase of project implementation. *Oversight by the EHU will ensure that the project will have a less than significant impact on the issue of septic disposal.*

#### **B.7.f Paleontological or Unique Geologic Features**

A significant impact would occur if the project would directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. The site is currently used for commercial recreational purposes. There are no known unique geologic features located on the project site. Mitigation measure 5.c.1 requires that work be stopped and that the Mariposa County Planning Department be contacted if a resource is discovered during earth work. *With implementation of this mitigation measure, the project will have a less than significant impact.*

### **B.8 GREENHOUSE GAS EMISSIONS**

<b>8. GREENHOUSE GAS EMISSIONS</b>		Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
Would the project:					
a) Generate greenhouse gas emissions,				√	

either directly or indirectly, that may have a significant impact on the environment?				
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?			√	

An air quality and greenhouse gas analysis was prepared for the project by Environmental Science Associates. The analysis is titled Draft Wildhaven Yosemite Commercial, Industrial, & Manufacturing Site Plan (CIM) Application – Air Quality and Greenhouse Gas Technical Memorandum, and is dated July 2021. The analysis is on file at the Mariposa County Planning Department, 5100 Bullion Street, Mariposa, CA. The following summarizes the greenhouse gas section of that analysis.

#### **B.8.a Generation of Greenhouse Gas (GHG) Emissions**

A significant impact would occur if the project generated greenhouse gas emissions that may have a significant impact on the environment. The proposed project would generate GHG emissions from direct and indirect sources during construction and operation. Construction activities associated with the proposed project would take place in two phases, initially proposed to begin in October 2021 and concluding in 2023. Construction emissions of GHGs would be generated from worker trips, vendor trips, and haul trips as well as from the use of heavy duty construction equipment. The proposed project is expected to be operational in 2023 and would generate emissions of GHGs from energy use, mobile sources (i.e., employees and guests traveling to and from the site), area sources (i.e., use of consumer products and operation of fire pits), and stationary sources (i.e., testing and maintenance of an emergency diesel generator).

Construction and operational emissions associated with the proposed project were calculated using California Emissions Estimator Model (CalEEMod) 2016.3.2. Total construction emissions generated by the proposed project have been amortized over the expected operational (long-term) life of the proposed project, which is estimated to be 30 years. Overall, construction of the proposed project would result in approximately 99.23 metric tons of CO<sub>2</sub> equivalents (MT CO<sub>2</sub>e) and 115.14 MT CO<sub>2</sub>e during Phase 1 and Phase 2 of construction, respectively, for a total of 214.37 MT CO<sub>2</sub>e generated from construction activity. Annual operational emissions plus construction emissions amortized over the 30-year life of the proposed project would be approximately 464.25 MT CO<sub>2</sub>e per year. The Mariposa County Air Pollution Control District (MCAPCD) has established thresholds of significance for GHG emissions; they are included in the County of Mariposa General Plan Environmental Impact Report. According to the MCAPCD, the proposed project would have a significant impact with respect to GHG emissions if it were to emit greater than 500 tons of CO<sub>2</sub>e per year. *GHG emissions associated with the proposed project would not exceed this threshold. Thus, the project's impact would be considered less than significant.*

#### **B.8.b Conflict with Plans to Reduce Greenhouse Gas Emissions**

A significant impact would occur if the project conflicted with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Mariposa County has not adopted a Climate Action Plan or GHG Reduction Plan to address the County's contribution to climate change impacts. Although the Mariposa County General Plan includes policies related to air quality and climate change, implementation of these policies fall under the responsibility of the County, and are therefore not applicable to the proposed project. Thus, this analysis evaluates the proposed project's consistency with the state 2017 Scoping Plan Update. The primary goal of AB 32 is the requirement for statewide GHG emissions to be reduced to 1990 levels by 2020 and required the development of the first Climate Change Scoping Plan (2008) for achieving the necessary GHG reductions in a technological and economically feasible manner, the

adoption of a mandatory GHG emissions reporting regulation, and the establishment of a market-based declining emission limit program (i.e., the cap-and-trade program). The First Update to the Scoping Plan was approved by California Air Resources Board (CARB) in May 2014 and built upon the initial Scoping Plan with new strategies and recommendations to achieve the AB 32 target. Executive Order (EO) B-30-15 established a GHG emission reduction goal for California of 40 percent below 1990 levels by 2030. This EO also directed all state agencies with jurisdiction over GHG-emitting sources to implement measures designed to achieve the new interim 2030 goal, as well as the preexisting, long-term 2050 goal identified in EO S-3-05. Additionally, EO B-30-15 directed CARB to update its Scoping Plan to address the 2030 goal, which it has done with the 2017 Scoping Plan Update. SB 32 codifies the 2030 emissions reduction goal of EO B-30-15, requiring CARB to ensure that statewide GHG emissions are reduced to 40 percent below 1990 levels by 2030.

The proposed project would be consistent with key state plans and regulatory requirements referenced in the 2017 Scoping Plan Update designed to reduce statewide emissions. According to the 2017 Scoping Plan Update, reductions needed to achieve the 2030 target are expected to be achieved by increasing the Renewables Portfolio Standard (RPS) to 50 percent of the state's electricity by 2030, greatly increasing the fuel economy of vehicles and the number of zero-emission or hybrid vehicles, reducing the rate of growth in vehicle miles traveled (VMT), and increasing the use of high efficiency appliances and water heaters. As discussed previously, the Governor has signed into law SB 350 (Chapter 547, Statutes of 2015), which increased the RPS to 60 percent by 2030 and included interim targets of 40 percent by 2024 and 45 percent by 2027. With the passage of SB 100, California's RPS was further increased and requires retail sellers and local publicly-owned electric utilities to procure eligible renewable electricity for 44 percent of retail sales by the end of 2024, 52 percent by the end of 2027, and 60 percent by the end of 2030; and requires that CARB should plan for 100 percent eligible renewable energy resources and zero-carbon resources by the end of 2045, which would reduce the proposed project's electricity-related emissions.

The proposed project would support and not impede implementation of these potential reduction strategies identified by CARB, and it would benefit from statewide and utility-provider efforts towards increasing the portion of electricity provided from renewable resources. The proposed project would also benefit from statewide efforts towards increasing the fuel economy standards of vehicles and reducing the carbon content of fuels. The proposed project would utilize energy efficiency appliances and equipment, as required by Title 24. *The proposed project's post-2020 emissions trajectory is expected to follow a declining trend, consistent with the 2017 Scoping Plan Update, and the proposed project would not conflict with or obstruct implementation of the 2017 Scoping Plan Update, and the impact would be less than significant.*

*Because the proposed project's construction and operation emissions of greenhouse gases would be less than levels identified as significant by the MCAPCD, and because these proposed project emissions would not impede attainment of the state's GHG reduction goals for 2030, the proposed project's incremental contribution to greenhouse gases would not be cumulatively considerable, and the impact would be less than significant.*

## B.9 HAZARDS AND HAZARDOUS MATERIALS

9. HAZARDS AND HAZARDOUS MATERIALS Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			√	
b) Create a significant hazard to the public			√	

or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				√
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				√
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				√
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			√	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			√	

#### **B.9.a, b Transport of Hazardous Materials/Upset and Accident**

A significant impact would be one that produces a substantial risk to the public from routine transportation, use, or disposal of hazardous material, or from reasonably foreseeable accidental release into the environment of such material through upset or accident. This project will not result in the handling, transport or use of hazardous materials except for those associated with normal campground development and operation. The project is not expected to store large amounts of hazardous materials. The project would not involve the use, storage, transportation or disposal of hazardous materials other than what is typically used for cleaning of project facilities, and for maintenance and landscaping. Construction activity may include temporary storage and use of potentially hazardous material such as fuel and oil. Any spills would be subject to local, state, and federal regulations, which minimize the risk associated with construction activities.

The project proponent proposes preparing a hazardous materials business plan in accordance with Mariposa County Health Unit's requirements. The plan will address the proper storage and disposal of hazardous materials, including but not limited to the storage of gasoline or diesel, lubricating products, batteries, spent propane containers, etc.

Due to these factors, *the project will have a less than significant impact on these issues.*

**B.9.c School Proximity**

A significant impact would be one that emits hazardous emissions or results in the handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Although the adjacent 3.70-acre parcel is owned by the Mariposa County Unified School District and is developed with structures, it is not currently used for educational purposes. It is the headquarters of the Mariposa County Fire Department. There are no schools located within a quarter-mile of the project site. *Thus, the project will have no impact.*

**B.9.d Exposure from Existing Contaminated Sites**

A significant impact would be one that is located on a listed contamination site and exposes the public or the environment to the hazard. The project site is not listed on the Mariposa County Environmental Health Unit's list of hazardous sites. The hazardous material assessment contained in the Preliminary Technical Report prepared for the project by Summit Engineering, Inc. found no hazardous materials sites or facilities on or in the vicinity of the project site. *Based on these factors, there will be no impact on this issue.*

**B.9.e Hazards Near Airports and Airstrips**

A significant impact would be one that results in a safety hazard for people residing or working in the vicinity of a public airport or private airstrip. The project site is not within two miles of a public airport, and no private airstrips are known to exist within the area of the project site. *Thus, there will be no impact.*

**B.9.f Emergency Response/Evacuation Plans**

A significant impact would be one that impairs the implementation of or interferes with an emergency response or evacuation plan. The construction of a campground will not interfere with any emergency response or evacuation plan. In accordance with the Fire Hazard Mitigation Plan (FHMP) – Wildhaven Yosemite Project, prepared by Dudek, prior to commencement of operation, the project proponent will develop an Emergency Operations Plan that will address wildfire and other emergency incidents at the site. (The full FHMP is available for review at the Mariposa County Planning Department, 5100 Bullion Street (lower floor), Mariposa, CA.) The plan will be subject to the requirements of Section 20133 (Emergency Preparedness Plans) of Article 1 (Administration and Enforcement), Title 25, Division 1, Chapter 2.2 – Special Occupancy Parks, California Code of Regulations. The FHMP states that included in the Emergency Response Plan (state required Emergency Preparedness Plan) will be provisions addressing development of a site fire and emergency alert system to notify site occupants in the event of an emergency incident; a site evacuation plan, defining routes of ingress and egress, rally points, and protocols for disabled guests and/or guests without their own transport; establishment and maintenance of temporary refuge areas if evacuation is not possible; and establishment of an emergency helicopter landing site. (It would not be a permitted heliport as described in California Code of Regulations §3554 and would be maintained for use in emergencies only.)

As stated in the FHMP, the project would formally adopt, practice, and implement a “Ready, Set, Go!” (International Fire Chiefs Association 2013) approach to evacuation. The “Ready, Set, Go!” concept is widely known and encouraged by the state of California and most fire agencies. Pre-planning for emergencies, including wildfire emergencies, focuses on being prepared, having a well-defined plan, minimizing potential for errors, maintaining the project's fire protection systems, and implementing a conservative (evacuate as early as possible) approach to evacuation and project operations during periods of fire weather extremes. The project's evacuation plan also includes a provision for notifications to guests, preparation methods, and procedures for evacuations. The project will employ a Fire Safety Coordinator with defined tasks.

(Note that large-scale evacuations during wildfire or other emergencies are managed by agencies including the Office of Emergency Services, law enforcement, and fire agencies. Emergencies are often fluid events and on-scene emergency personnel provide key information and direction regarding evacuations. The project's FHMP provides limited information regarding wildfire evacuation, and actual evacuation procedures would be a case-by-

case basis and managed and controlled by the aforementioned agencies. Directions provided by the Mariposa County Office of Emergency Services would be the basis for evacuation planning for the project site.)

The FHMP states that project site access, including road widths and connectivity, would comply with the requirements of the Mariposa County Fire Department. It further states that a secondary point of access/egress is not required by the Fire Chief, provided the main access road is 24 foot wide two lane road. The access from Highway 140 into the project site is 24 feet in width. Internal access roads and driveways will be subject to state fire safe and local standards as well as applicable special occupancy park standards contained in Section 2106 (Roadways) of Article 2 (General Park Requirements), Title 25, Division 1, Chapter 2.2 – Special Occupancy Parks, California Code of Regulations.

In addition to implementation of the project's FHMP, the project will also be subject to all fire protection standards for special occupancy parks contained in Article 6 (Fire Protection Standards for Parks), Title 25, Division 1, Chapter 2.2 – Special Occupancy Parks, California Code of Regulations. In addition, Section 2013 (Emergency Preparedness Plans) of Article 1 (Administration and Enforcement), Title 25, Division 1, Chapter 2.2 – Special Occupancy Parks, California Code of Regulations, requires that such parks prepare emergency preparedness plans.

*Implementation of the project Fire Hazard Mitigation Plan and all state code relating to fire safe requirements will reduce potentially significant impacts associated with emergency situations to less than significant levels.*

#### **B.9.g Risk of Wildland Fires**

A significant impact would be one that exposes people or structures to a significant risk of wildland fires. The Fire Hazard Mitigation Plan (FHMP) prepared for the project includes a fire risk assessment. This assessment concluded that based on the project site's location, climate, and fire history, it can be anticipated that periodic wildfires may start on, burn onto, or spot into the project site. On-site wildfire ignitions could occur as a result of campfires, stoves, cigarettes, arson, or equipment use. Off-site ignitions could occur along CA-140 (vehicle fire, discarded cigarette, dragging tow chain), or through adjacent lands. However, the provided maintained areas and fuel modification buffers will significantly reduce the likelihood of fire spreading off the site. Fire risk at the site will be managed through annually maintaining the recommended fuel modification around the project, ensuring the required fire department access roadways and water supply systems are fully operational, and regularly informing guests of the fire protection features and evacuation plans for the project at acceptable levels.

The FMPA contains sections on fire risk analysis, which includes a model of potential fire behavior; emergency response and service; fire safety standards, which address vegetation/forest management, roads and access, water supply (water tank and fire hoses), operations, equipment inventory and maintenance, staff training and visitor education; and, as described above, evacuation.

Wildfire prevention measures for the project as described in the FHMP would include:

- All tent fabrics would be California State Fire Marshal approved for flame resistance.
- All heating stoves on the site would be equipped with spark arrestors, which would be constructed of woven or welded wire screening of 12 USA standard gage wire (0.1046 inch) having openings not exceeding 1/2-inch. The net free area of the spark arrestor would not be less than four times the net free area of the outside of the chimney outlet.
- The ashes from the stoves would be removed by camp staff in metal containers and disposed of in a steel container. Firewood and combustible materials would not be stored in unenclosed spaces, beneath tents, or on decks under eaves, canopies or other projections or overhangs. Firewood and combustible material would be stored in fuel modification areas and separated from the crown of trees by a minimum horizontal distance of 15 feet.



- Smoking would be restricted to designated areas with receptacles for cigarette waste. The area and a minimum 50-foot buffer would have vegetative material cleared to bare mineral soil.
- Branches and other vegetation above each fire area would be removed, and a cone of clearance to the sky would be established. Fires would not be allowed whenever Mariposa County Fire/CAL FIRE imposes restrictions on campfires.
- Fire tool lockers and fire extinguishers would be provided throughout the site, meeting the requirements of Public Resources Code (PRC) 4428 and 4429. Fire extinguishers (2A 10BC) would be located in each guest tent structure, as well as in all other facilities as required.
- Fire hose stations with fire hoses and nozzles would be provided within the site, with 200 feet of fire hose provided at each station. These stations would be located in such a manner that no tent structure would be greater than 150 feet from a fire hose station.
- Basic fire and first aid training would be provided to all employees, and it is recommended that at least one employee onsite at any given time has advanced first aid training (Emergency Medical Technician or similar) to be coordinated with the fire department.

The project will be subject to all applicable state Public Resources Code fire safe standards and to all fire protection standards for special occupancy parks contained in Article 6 (Fire Protection Standards for Parks), Title 25, Division 1, Chapter 2.2 – Special Occupancy Parks, California Code of Regulations.

With the implementation of the project's Fire Hazard Mitigation Plan and adherence to all applicable state Public Resources Code fire safe standards and fire protection standards for special occupancy parks, *the project will have a less than significant impact on the issue of wildland fires.*

## B.10 HYDROLOGY & WATER QUALITY

10. HYDROLOGY AND WATER QUALITY Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			√	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			√	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) result in a substantial erosion on- or off-site;			√	
ii) substantially increase the rate or			√	

amount of surface runoff in a manner which would result in flooding on- or off-site				
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			√	
iv) impede or redirect flood flows?			√	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				√
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			√	

#### **B.10.a Water Quality Standards/Waste Discharge Requirements/Water Quality**

A significant impact would occur if the project violated a water quality standard or waste discharge requirements or otherwise substantially degraded surface or groundwater quality.

As noted in Section B.7.e above, the geotechnical engineering investigation of the project site found that field exploration and percolation testing indicate the onsite soil/weathered bedrock profile is not suitable for the installation of a septic system with a standard disposal field that utilizes leach lines, leaching beds, or seepage pits. However a mounded leach field or some other engineered onsite wastewater disposal system, such as an aerobic pretreatment system with a raised sand bed, may be feasible. The geotechnical investigation provides recommendations for a mound leach field system. The Mariposa County Environmental Health Unit (EHU) states that a full design of the proposed system including soil profile and percolation test results must be submitted for review and approval at the building permit phase of project implementation.

Project implementation has the potential to impact riparian features on the project site. Implementation of Mitigation Measure 4.b.1 will reduce this potentially significant to a less than significant level.

The 2019 California Code of Regulations Title 24, Parts 1-12 standards contain drainage plan requirements to ensure that any changes to existing drainages are done in such a way as to ensure that the function and capacity of the affected drainage course is maintained following construction. Soil compaction standards, provisions for sediment control during construction, and re-vegetation following construction are contained in this ordinance. The 2019 California Code of Regulations Title 24, Parts 1-12 standards will apply to site grading work done on the project site. This code contains requirements for soil compaction and sediment control during construction, and permanent re-vegetation following construction. Onsite inspections by the Building Department are conducted to ensure compliance with these requirements.

In addition, if more than one acre of land will be disturbed, the project will be subject to a National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated with Construction Activity from the Regional Water Quality Control Board. This permitting is part of the existing regulatory environment and is addressed in the standard conditions of approval for projects in Mariposa County.

*Due to these factors, the project will have a less than significant impact on water quality standards.*

**B.10.b, e**                      **Changes in Groundwater Resources**

A significant impact would be one that substantially depletes groundwater quantities or interferes with groundwater recharge. The following summarizes the information contained in the Preliminary Technical Report prepared for the project. The full report is available at the Mariposa County Planning Department, 5100 Bullion Street (lower floor), Mariposa, CA.

CalCamp2 LLC is pursuing enrollment as a public water system. Water from the proposed system is intended to meet the demand of resort employees and guests. The proposed water source will be a single well that has yet to be drilled. There is no existing water system infrastructure at the site that will be used for the proposed water system. In accordance with the *Preliminary Technical Report Guidance (updated December 4, 2020)* document published by the State Water Resources Control Board, all community water systems within a three-mile distance as measured by public rights-of-way, must be contacted and evaluated for water system consolidation feasibility. This process applied to only one community water system, Mariposa Public Utility District's (MPUD). MPUD responded to the project proponent through a letter dated July 7, 2021 that the project site is not within the District's water right licenses, area of use, and service area. The District stated that it does not view the connection as feasible and is unable to provide a water connection. The potential consolidation feasibility analysis was conducted in accordance with the requirements of SB 1263.

The project site is located in the lower Mariposa County basin. This basin has not been extensively analyzed for precipitation rates. Publicly available recharge information is scarce in the region so a nearby watershed with available data (from a draft report) was used to determine an appropriate recharge rate. The Cottonwood Creek watershed in Madera County was estimated to have an approximate 16.7% precipitation recharge rate. As a conservative measure, the recharge rate assumed for the project location is 12%. Using this recharge rate along with estimated annual precipitation, area of the proposed public water system, and the estimated water demand of the proposed public water system, results in an estimated recharge volume that exceeds the estimated water demand of the system during normal years and is within 0.5% of the estimated water demand during dry years. So long as a normal precipitation year occurs, there is assumed to be excess capacity that can carry over to dry years. The rough order of magnitude estimates for water demand and groundwater recharge volumes contained in the Preliminary Technical Report prepared for the project, show that the total water demand for the project (employees and guests) would be 1,960,050 gallons per year. The report states that a normal year would yield 32.95 inches of rainfall and that a dry year would yield 16.475 inches. The estimated recharge at the 36.3-acre project site in a normal rainfall year would be 3,897,000 gallons per year and 1,949,000 gallons in a dry year. This means that net recharge at the project site during a normal year would be 1,936,950 gallons per year when the project is in full operation. During a dry year, the net recharge at the project site would be -11,050 gallons per year. (The bases for these figures are shown in the technical report.)

*Based upon these estimates and the Preliminary Technical Report's conclusion that a normal rainfall year will result in excess recharge volume that can carry over to dry years, impacts on groundwater from the proposed development is less than significant.*

The project will not obstruct implementation of a water quality control plan or sustainable groundwater management plan. The project site is not located in an area governed by such plans.

**B.10.c**                      **Drainage Patterns/Impervious Surfaces; Substantial Erosion; Flooding; Stormwater System Capacity; Polluted Runoff**

A significant impact would be one that substantially alters drainage and surface flows through alteration of the course of a stream or river or through the addition of impervious surfaces in a manner that results in substantial erosion or siltation on- or off-site; substantially impacts drainage patterns causing flooding on- or off-site; contributes runoff causing the capacity of drainage systems to be exceeded or provides substantial polluted runoff;

or redirects flood flows. The project site contains two ephemeral channels/drainage swales. The project will not alter the course of a stream or river; result in substantial erosion on- or off-site; substantially increase the rate of surface runoff, so as to result in flooding; contribute substantial runoff; result in exceedance of stormwater drainage system capacity; provide substantial additional sources of polluted runoff; or redirect flood flows. The standards of the 2019 California Code of Regulations Title 24, Parts 1-12, will apply to site grading work done for project construction. Soil compaction and sediment control during construction and permanent re-vegetation following construction is also required.

In addition, Mitigation Measure 4.b.1 as described in the Biological Resources section of this Initial Study requires the project proponent to prepare a Storm Water Pollution Prevention Plan that will include a grading and erosion control plan. The measure requires that all construction plans and activities shall implement Best Management Practices to provide erosion, runoff and sediment control.

*In light of the required implementation of all grading requirements and Mitigation Measure 4.b.1, it can be found that the project will have a less than significant impact on drainages and existing drainage patterns.*

The project site is not served by a constructed storm water drainage system. It will have no impact on issues related to flooding.

Caltrans commented that most of the project area is being transformed from pervious to impervious areas, and therefore requests to review the pre- and post-construction runoff calculations to provide additional comments as appropriate. This request from Caltrans will be made a condition of approval for the project and is part of the regulatory framework governing development of the project site. This information will be provided to Caltrans for review and approval prior to the issuance of construction or grading permits for the project.

**B.10.d Release of Pollutants in Flood Hazard, Tsunami or Seiche Zones from Project Inundation:**

A significant impact would occur if the project risked release of pollutants due to project inundation in a flood, seiche, or tsunami zone. The project site is not located in any such zone. *Thus, the project will have no impact on this issue.*

## **B.11 LAND USE & PLANNING**

<b>11. LAND USE AND PLANNING</b> Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Physically divide an established community?				√
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				√

**B.11.a Physically Divide an Existing Community**

A significant impact would occur if the project physically divided an established community. The project site is currently used for commercial recreational purposes. The site is surrounded on three sides by a large ranch holding. The development of the project site will be consistent with the land use classification and zone in which it is located. The project will not divide an established community. *Thus, there are no impacts.*

#### **B.11.b Conformance with General Plan Designation, Zoning and Other Environmental Policies**

A significant impact would occur if the project conflicted with a land use plan, policy or regulation adopted to avoid or mitigate an environmental effect. The project will be implemented in compliance with all applicable standards of the Rural Economic/Recreation subclassification and the Resort Commercial zone and will not conflict with any measure adopted for the purpose of avoiding or mitigating an environmental effect. The site is currently used for commercial recreational purposes. *The project will have no impact on this issue.*

### **B.12 MINERAL RESOURCES**

<b>12. MINERAL RESOURCES</b> Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				√
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local General Plan, specific plan or other land use plan?				√

#### **B.12.a, b Mineral Resources**

A significant impact would occur if the project resulted in the loss of availability of a mineral resource of value to the region and state, or result in the loss of a locally important mineral resource shown on land use planning maps. The Mariposa County General Plan does not identify the project area as an important mineral recovery site. The site is not known to contain mineral resources valuable to the region or state. The project site is currently used for commercial recreational purposes. The project will not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state, nor result in the loss of availability of a locally-important mineral resource recovery site. *Thus, the project will have no impact.*

### **B.13 NOISE**

<b>13. NOISE</b> Would the project result in:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local			√	

general plan or noise ordinance, or applicable standards of other agencies?				
b) Generation of excessive groundborne vibration or groundborne noise levels?			√	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				√

#### **B.13.a,b Generation of Substantial Noise That Exceeds Established Standards/Groundborne Vibration or Noise**

A significant impact would occur if the project resulted in the generation of substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or generate excessive ground-borne vibration or ground-borne noise levels. The Mariposa County General Plan states that the rural lifestyle found in Mariposa County results in a noise environment that is well below 55 dba CNEL standard. The Mariposa County Noise-Land Use Compatibility Chart, shown as Figure 12-1 in Volume III, Technical Background Reports of the Mariposa County General Plan, shows that Ldn or CNEL decibel levels of up to 60 are normally acceptable community noise exposure levels for low density single family, duplex, and mobile home residential development. Decibel levels of up to 65 are normally acceptable for multi-family residential uses. Up to 70 decibels is conditionally acceptable in both categories.

The project site is surrounded on three sides by an undeveloped large ranch holding. The nearest residence to the north is roughly 2,400 linear feet distant. A steep hill on the project and the ranch holding separates the campground area from residences to the east, which are located a minimum of one-half mile away. Noise during construction may exceed these levels but construction is expected to be of limited duration and during normal working hours and is unlikely to have a significant impact on distant residential properties. The adjacent 3.7-acre parcel is used as the headquarters for the Mariposa County Fire Department. Mariposa County does not have an adopted noise ordinance. The project will not generate excessive groundborne vibration or groundborne noise. In consideration of the nature of the proposed project and the surrounding land uses, it can be determined that the project is compatible with the area from a noise and vibration perspective. *The project will have a less than significant impact*

#### **13.c Exposure to Airport or Airstrip Noise**

A significant impact would occur if there is exposure of people residing or working in the project area to excessive noise from public airports or private airstrips. The project site is not located near an airport or airstrip. *The project will have no impact.*

### **B.14 POPULATION & HOUSING**

<b>14. POPULATION AND HOUSING</b> Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				√
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				√

#### **B.14.a Population Growth Inducement**

A significant impact would result if the project induces substantial population growth in an area. The project is a commercial recreational campground. It is likely that the proposed five full time and five part-time employees will be drawn from the local population, and there are no extension of roads or infrastructure proposed that would induce population growth. *Thus, the project will have no impact on this issue.*

#### **B.14.b Displacement of Housing/People**

A significant impact would result if the project displaced substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. This campground project has no potential to displace existing people or housing. The existing residence on the site will be used as a manager's residence. *Thus, the project will have no impact.*

### **B.15 PUBLIC SERVICES**

<b>15. PUBLIC SERVICES</b>	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?			√	
b) Police protection?			√	
c) Schools?				√

d) Parks?			√	
e) Other public facilities?				√

A significant impact would occur if the project had a substantial adverse impact on the provision of the following public service facilities or result in a need to construct new or the physical alteration of such facilities, the construction of which could cause significant environmental impacts.

#### **B.15.a, b. Emergency Services Improvement Impacts**

A Fire Hazard Mitigation Plan has been prepared for the project. The contents of this plan are summarized in sections B.9.f and B.9.g above and Section B.20 (Wildfire) below. Existing emergency response facilities will provide adequate service to the project. Goal 9-9 of the General Plan states as its goal, “*Maintain quality emergency service delivery.*” Policy 9-9a calls for defining acceptable service standards and creating a comprehensive plan to attain and maintain service delivery, and Implementation Measures 9-9a(1) and 9-9a(2) call for the preparation and implementation of an emergency services plan to implement the goal. The project will not have a negative impact on this goal, policy or these implementation measures. The project site will be served by CAL FIRE, the Mariposa County Fire Department and the Mariposa County Sheriffs Department. Although new development adds cumulatively to the demand for police and fire protection, the impact from this campground project on emergency service facilities, *is considered to be less than significant.*

#### **B.15.c School Improvement Impacts**

This campground project will have no impact on schools. It will primarily serve the needs of tourists. Most of the employees will likely be drawn from the existing labor pool. The project will be required to pay school impact fees for any applicable structures on the site through the building permit process. These fees are established to address development project impacts on schools. *There are no potential impact on schools associated with this project.*

#### **B.15.d Park Improvement Impacts**

This project is a campground that will primarily serve the needs of the touring public. The project will be implemented in a manner with all applicable local and state standards. It will enhance the tourism industry in Mariposa County and not require the construction of any additional parks or recreation facilities. Visitors to the campground may use park facilities located in the vicinity, including those at the Mariposa County Park located in the community of Mariposa. The impact on that facility would not be significant. *The project’s impact on parks facilities will be less than significant.*

#### **B.15.e Other Public Facility Impacts / including Road Improvement Impacts**

See B.17 (Transportation) section below for a discussion of project impacts on area roadways. The Draft Wildhaven Yosemite Traffic Impact Analysis found the project would have a less than significant impact.

The project will provide its own water and sewage disposal facilities *Thus, the project will have no impact on other public facilities.*

### **B.16 RECREATION**

<b>16. RECREATION</b>	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Would the project increase the use of existing neighborhood and regional			√	



parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			√	

#### **B.16.a Use of Existing Recreational Facilities**

A significant impact would result if the project substantially increased the use of existing parks or other recreational facilities and the increase in use had the potential to cause or accelerate substantial physical deterioration of facilities. The campground project is recreational in nature. The project will attract tourists who desire a camping experience in the area. Visitors to the campground may use amenities offered at existing recreational facilities, including Mariposa County Park in the community of Mariposa. However, the impact on existing facilities will not be significant. The project will not increase use of existing parks and recreational facilities so as to result in a physical deterioration of the facilities. *The project will have a less than significant impact.*

#### **B.16.b Construction or Expansion of New Recreational Facilities**

A significant impact would result if the project included recreational facilities that might adversely affect the physical environment due to construction or expansion. The project is a commercial recreational facility that will serve visitors to the area seeking a camping experience. It will not result in the construction or expansion of other recreational facilities. *Implementation of mitigation measures as described in this study and implementation of conditions of approval for the project will ensure that project implementation will have a less than significant impact on the environment.*

### **B.17 TRANSPORTATION**

<b>17.TRANSPORTATION</b> Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			√	
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?			√	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			√	
d) Result in inadequate emergency access?			√	

A draft traffic impact analysis was prepared for the project by Wood Rodgers. The analysis is titled Draft Wildhaven Yosemite Traffic Impact Analysis Memorandum, and is dated April 19, 2021. The analysis is on file at the Mariposa County Planning Department, 5100 Bullion Street, Mariposa, CA. The following summarizes that analysis.

#### **B.17.a Circulation System**

A significant impact would result if the project conflicted with a program, plan, ordinance or policy addressing the circulation system. The analysis assumes each occupied tent would generate approximately 2.6 daily vehicle trips and 0.45 trips during the peak hour of the site. This figure was arrived at using data from the *Trip Generation for Yosemite Under Canvas EIR Memorandum* (Environmental Science Associates, October 4, 2019.) The annual average weekday project occupancy is estimated to be 41%; annual average weekend project occupancy is estimated to be 57%; and overall annual average project occupancy is estimated to be 48%. (These figures are shown in Table 2 – *Estimated Project Occupancy* in the draft traffic impact memorandum.

Project trip generation for the “Worst-Case” Saturday summer peak full-occupancy is presented in the traffic impact analysis. This condition is analyzed to determine if the project adds 50 or more peak hour trips to a state highway facility under worst-case conditions. The *Caltrans Guide for the Preparation of Traffic Impact Studies* (Caltrans TIS Guidelines, December 2002) indicates that if 50 peak hour trips or more are added to a state highway facility, a traffic impact study may be required. The analysis concludes, based on figures shown in Table 3 of the analysis, that the project is estimated to generate 30 new trips during the peak hour under “worst-case” Saturday summer peak full-occupancy conditions. The project is estimated to generate 90 daily trips on an annualized average basis, with an annual average of 15 site peak hour trips (4 inbound and 11 outbound), based on figures shown in Table 4 of the analysis.

Project trips are estimated to observe the following distribution:

- 70% to/from SR 140 east of the project access roadway. This direction leads to the town/CDP (Census Designated Place) of Mariposa and the entrance to Yosemite National Park.
- 30% to/from SR 140 west of the project access roadway. This direction leads to the City of Merced and State Route 99.

As noted above, the *Caltrans TIS Guidelines* state that if 50 peak hour trips or more are added to a state highway facility, a traffic impact study may be required. As the project is estimated to generate fewer than 50 peak hour trips under “worst-case” Saturday summer peak full-occupancy conditions, the project is subject to the following criteria outlined in the *Caltrans TIS Guidelines*:

- If one (1) to 49 peak hour trips are added to a state highway facility, a full traffic impact study may be required if any of the following conditions are met with the addition of project trips:
  - a. Affected state highway facilities experience significant delay; unstable or forced traffic flow conditions (Level of Service [LOS] “E” or “F”).
  - b. The potential risk for a traffic incident is significantly increased (i.e., congestion related collisions, non-standard sight distance considerations, increase in traffic conflict points, etc.).
  - c. Change in local circulation networks that impact a state highway facility (i.e., direct access to state highway facility, a non-standard highway geometric design, etc.).

SR 140 does not currently operate at LOS E or F conditions in the vicinity of the project and is not anticipated to operate at LOS E or F with addition of project trips. Additionally, as the project trips would utilize the existing project access roadway, the project would not create additional risk for a traffic incident or change the local circulation network in a way that would impact a state highway facility. Therefore, preparation of a full traffic impact study, including analysis of LOS, is not required.

If the campground project retains the zipline amenity, it will only be available for use by guests of the campground, so there will not be an increase in traffic due to the zipline beyond that discussed in the Traffic Impact Analysis Memorandum.

*The project will have a less than significant impact on the area's circulation system and State Highway 140.*

#### **B.17.b Conflict With CEQA Guidelines §15064.3, Subdivision (b)**

A significant impact would result if the project conflicted with this CEQA Guideline section. This section provides criteria for analyzing transportation impacts of projects. Section 15064.3 of the CEQA Guidelines provides specific considerations for evaluating a project's transportation impacts. Per Section 15064.3, analysis of vehicle miles traveled (VMT) attributable to a project is the most appropriate measure of transportation impacts. Other relevant considerations may include the effects of the project on transit and non-motorized travel. Except as provided in Section 15064.3(b)(2) regarding roadway capacity, a project's effect on automobile delay does not constitute a significant environmental impact under CEQA. The issue of the project's impact on the area's circulation system in analyzed in B.17.a above.

#### **Vehicles Miles Traveled (VMT)**

Statewide implementation of VMT as a metric of transportation impact occurred for all jurisdictions on July 1, 2020. The Governor's Office of Planning and Research (OPR) *Technical Advisory on Evaluating Transportation Impacts in CEQA* (OPR Technical Advisory, December 2018), contains technical recommendations regarding assessment of VMT, thresholds of significance, and mitigation measures. As Mariposa County has not currently adopted guidelines for the analysis of VMT due to new development, VMT analysis for the proposed project has been performed in accordance with guidance from the OPR Technical Advisory.

The OPR Technical Advisory states that "Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact." As stated in B.17.a above, the project is estimated to generate fewer than 110 daily trips (estimated 90 project trips) on an annualized average basis, and as such, VMT impact due to the project is assumed to be *less than significant*.

Trip generation was considered under annual average conditions for the project VMT analysis as it provides the best estimate of project traffic on a long-term basis (i.e. not a temporary or seasonal condition.).

#### **B.17.c Increase Hazards due to Geometric Design Features**

A significant impact would result if the project resulted in sharp curves or dangerous intersections or incompatible uses. The traffic impact analysis analyzed the existing SR 140/Project Access Road intersection, which will be utilized as the main access point to the project from SR 140, to determine if adequate sight distance currently exists at the intersection. Any existing sight distances below minimum distances specified by the Caltrans *Highway Design Manual, 7<sup>th</sup> Edition* (HDM) have been identified and possible improvements have been recommended.

Minimum Corner Sight Distance (CSD) at the SR 140/Project Access Roadway intersection was calculated based on equations and variables outlined in Section 405.1 of the Caltrans HDM. The traffic impact analysis states that the minimum required sight distance for a left turn from the project access roadway onto SR 140 is 765 feet. As shown in Table 5 of the analysis, actual CSD at the SR 140/Project Access Roadway intersection is greater than minimum CSD when looking to the west of the intersection (i.e., viewing eastbound approaching traffic).

CSD for traffic approaching from the westbound direction on SR 140 was not analyzed, as there is no direct conflict between vehicles making left-turn egress movements from the project access roadway and vehicles traveling

westbound on SR 140 due to the presence of an existing westbound acceleration lane at the intersection. Similarly, CSD for a “right-turn from stop” case was not analyzed as there is no direct conflict between vehicles making right-turn egress movements from the project access roadway and vehicles traveling eastbound on SR 140 due to the presence of an existing eastbound acceleration lane at the intersection.

Stopping sight distance (SSD) was also analyzed. SSD is the distance required by the user, traveling at a given speed, to bring the vehicle to a stop after an object ½-foot high on the road becomes visible. Minimum SSD for the eastbound direction of SR 140 in the vicinity of the SR 140/Project Access Roadway intersection was calculated based on data contained in Sections 201.2 and 201.3 of the Caltrans HDM. Table 6 in the traffic impact analysis shows that minimum required sight distance for eastbound approaching vehicles on SR 140 and westbound vehicles turning left into the project access roadway is a minimum of 660 feet. This table also shows that the actual SSD at the SR 140/Project Access Roadway intersection exceeds the minimum SSD for all cases analyzed.

In its initial review of the project, Caltrans asked that a design review simulation for the existing project driveway off of Highway 140 be submitted for their review. The reason for Caltrans’ request is to ensure the facility entrance will be able to accommodate the expected design vehicle, including recreational vehicles and vehicle/trailer combination for simultaneous entering/exiting.

In response to Caltrans’ comment, the project proponent responded in an email to Mariposa Planning that the project will not offer RV sites for rent, and does not expect to have RVs or travel trailers utilizing the driveway. The proponent added that the expected vehicle type utilizing the driveway will be the same as the previous commercial operation on the site. Expected vehicles accessing the site will be cars, vans, and small trucks.

It should be noted that the project may employ RVs for employees providing state and local regulations allow such a use. The use of RVs in this fashion would be on a stationary basis and their movement would have a less than significant impact on the driveway.

Based on the conclusions of the traffic impact analysis and the nature of the expected vehicle types utilizing the driveway entrance off of Highway 140, *the project will have a less than significant impact on the issue of traffic hazards.*

#### **B.17.d Emergency Access**

A significant impact would result if the project resulted in inadequate emergency access. The issue of emergency response and emergency evacuation is addressed in section B.9.f above. This section concludes that the construction of a campground will not interfere with any emergency response or evacuation plan. In accordance with the Fire Hazard Mitigation Plan (FHMP) – Wildhaven Yosemite Project, prepared by Dudek, prior to commencement of operation, the project proponent will develop an Emergency Operations Plan that will address wildfire and other emergency incidents at the site. (The full FHMP is available for review at the Mariposa County Planning Department, 5100 Bullion Street [lower floor], Mariposa, CA.) The plan will be subject to review and approval by applicable emergency services providers. Included in the Emergency Response Plan will be provisions addressing development of a site fire and emergency alert system to notify site occupants in the event of an emergency incident; a site evacuation plan defining routes of ingress and egress, rally points, and protocols for disabled guests and/or guests without their own transport; establishment and maintenance of temporary refuge areas if evacuation is not possible; and establishment of an emergency helicopter landing site. (It would not be a permitted heliport as described in California Code of Regulations §3554 and would be maintained for use in emergencies only.)

The FHMP states that project site access, including road widths and connectivity, would comply with the requirements of the Mariposa County Fire Department. It further states that a secondary point of access/egress is not required by the Fire Chief, provided the main access road is a 24 foot wide two lane road. The access from Highway 140 into the project site is 24 feet in width. Internal access roads and driveways will be subject to state

fire safe and local standards as well as applicable special occupancy park standards contained in Section 2106 (Roadways) of Article 2 (General Park Requirements), Title 25, Division 1, Chapter 2.2 – Special Occupancy Parks, California Code of Regulations.

In addition to implementation of the project’s FHMP, the project will also be subject to all fire protection standards for special occupancy parks contained in Article 6 (Fire Protection Standards for Parks), Title 25, Division 1, Chapter 2.2 – Special Occupancy Parks, California Code of Regulations. *Due to these factors, the project will have a less than significant impact on emergency access.*

## B.18 TRIBAL CULTURAL RESOURCES

<b>18. TRIBAL CULTURAL RESOURCES</b> Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or			√	
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			√	

### **B.18.a, b Tribal Cultural Resources**

A significant impact would occur if the project had a significant impact on tribal cultural resources, which are defined in the table above. The issue of the project’s impact on historical or archaeological resources is addressed in Section B.5 (Cultural Resources) above. The following text summarizes that section. The County provided notification to the Southern Sierra Miwuk, aka American Indian Council of Mariposa County of the submittal of the project and provided the opportunity to provide comment. No comment or request for consultation was received.

A cultural resources survey of the project site was conducted by Environmental Science Associates (ESA) on March 22, 2021. All areas of proposed ground disturbance were walked to provide an overall assessment of existing conditions. Visibility was good, though there were trees and other foliage through the surveyed area. Overall, there was 80 percent visibility of the surveyed area.

In addition, as part of the cultural resources survey of the site, ESA contacted the Native American Heritage Commission (NAHC) on March 5, 2021 to request a search of the NAHC's Sacred Lands File (SLF) and a list of Native American representatives who may have an interest in the project. The NAHC's reply indicated that the SLF has no record of any cultural resources in the project vicinity.

The cultural resources survey of the project site revealed no cultural resources or other evidence of past human use or occupation, besides the modern features located on the project site. There is the potential for such resources to be discovered during project development. Human remains could also be discovered. Mitigation Measure 5.c.1 addresses the issue of discovery of cultural resources or human remains as the project is developed. *Implementation of this measure will reduce potentially significant impacts on tribal resources during project construction to a less than significant level.*

## B.19 UTILITIES & SERVICE SYSTEMS

19. UTILITIES AND SERVICE SYSTEMS Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Require or result in the relocation of construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			√	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			√	
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				√
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			√	
e) Comply with federal, state, and local			√	

management and reduction statutes and regulations related to solid waste?				
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**B.19.a Water, Wastewater Treatment; Stormwater Drainage; Electric Power, Natural Gas, Telecommunications Facilities**

A significant impact would result if the project required or resulted in the relocation or construction of the facilities listed above that would cause significant environmental effects. The project will use on-site water and sewage disposal systems. It will not connect to any off-site system. The issue of sewage disposal is discussed in detail in sections B.7.e and B.10.a of this study. The issue of water provision is discussed in section B.10.b, e. Sierra Telephone provided comment that they have no objection to the proposed project. Construction of the on-site water and wastewater systems will meet all applicable standards and will not result in significant environmental effects. No stormwater facility is expected to be constructed or relocated to implement the project. The project may be required to address runoff from the project site into state facilities along Highway 140. Construction that may be necessary to adequately address such runoff will be subject to all applicable standards including those designed to reduce potentially significant environmental effects to less than significant levels. *The project will have a less than significant impact on this issue.*

**B.19.b Water Supply**

A significant impact would result if water supplies were insufficient to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. The project proposes to use a single well for the provision of water to the campground. The issue of project impacts on groundwater resources is discussed in detail section B.10.b, e of this study. The conclusion of that section, based upon the Preliminary Technical Report prepared for the project, is that *the project would have a less significant impact on groundwater resources.*

**B.19.c Wastewater Treatment Capacity**

A significant impact would occur if the project resulted in an impact on wastewater treatment system capacity. The campground project will use an on-site septic disposal system that will serve the project only. It will not be served by an existing wastewater treatment system. *Thus, the project will have no impact.*

**B.19.d, e Solid Waste**

A significant impact would occur if a project generated solid waste in excess of state or local standards or in excess of the capacity of local infrastructure; otherwise impaired the attainment of solid waste reduction goals; or did not comply with reduction statutes related to solid waste. The campground will generate solid waste. However, waste generated is not expected to significantly impact the capacity of the county's landfill, nor impair the attainment of solid waste reduction goals. The project will be subject to all applicable regulations and standards relating to solid waste, including those contained in Section 2120 (Rubbish and Accumulation of Waste Material) of Article 2 (General Park Requirements), Title 25, Division 1, Chapter 2.2, Special Occupancy Parks, California Code of Regulations. The project proponent has informed the Mariposa County Environmental Health Unit that it proposes placing large trash and recycling dumpsters on the project site. A smaller trash and recycling shed will be placed in each tent cluster. Maintenance/housekeeping personnel will transfer the contents of the smaller bins to the dumpsters one to three time per day, depending on occupancy. The dumpsters will be emptied by the current vendor at the project site one to two times per week, depending on occupancy. *Due to these factors, the project will have a less than significant impact.*

**B.20 WILDFIRE**

<b>20. WILDFIRE</b> If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			√	
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			√	
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			√	
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			√	

The project site is located within the State Responsibility Area but is not in the Very High Fire Hazard Severity Zone. It is in the High Fire Hazard Severity Zone.

#### **B.20.a Emergency Response/Evacuation Plans**

A significant impact would occur if the project substantially impaired an adopted emergency response plan or emergency evacuation plan. The project is not located in the Very High Fire Hazard Severity Zone. The Mariposa County Community Wildfire Protection Plan (CWPP) functions as the County's principal document to prepare for wildfires to minimize negative impacts and increase desired ecological outcomes. The plan is intended to serve as the County's primary reference for strategic wildfire planning and guide future wildfire prevention and mitigation activities. The issue of evacuation in the event of a fire is addressed in this document. In addition, Mariposa County also has an adopted Local Hazard Mitigation Plan that includes mitigation for wildland fires. This issue is addressed in detail in section B.9.f of this study. The project will not substantially impair an adopted emergency response plan or emergency evacuation plan. *The project's potential impact on this issue is less than significant.*

#### **B.20.b Pollutant Concentrations/Exposure to Wildfire**

A significant impact would occur if the project exposed project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. The project is not located in the Very High Fire Hazard Severity Zone. The Fire Hazard Mitigation Plan (FHMP) prepared for the project includes a detailed section on fire behavior modeling for three on-site vegetation, slope and wind speed scenarios and on how treatment efforts would potentially reduce fire flame length and intensity. The treatments in each area resulted in a reduction in flame length and intensity.



The FHMP concluded that based on the project site's location, climate, and fire history, it can be anticipated that periodic wildfires may start on, burn onto, or spot into the project site. On-site wildfire ignitions could occur as a result of campfires, stoves, cigarettes, arson, or equipment use. Off-site ignitions could occur along CA-140 (vehicle fire, discarded cigarette, dragging tow chain), or through adjacent lands. However, the provided maintained areas and fuel modification buffers will significantly reduce the likelihood of fire spreading off the site. Fire risk at the site will be managed through annually maintaining the recommended fuel modification around the project, ensuring the required fire department access roadways and water supply systems are fully operational, and regularly informing guests of the fire protection features and evacuation plans.

The FHMP includes detailed standards for on-site vegetation/forest management, including for developed area vegetation management, roadside and footpath vegetation management, and routine maintenance. The FHMP also contains standards for tent fabrics, heating stoves, disposal of ashes, smoking areas, etc.

In addition to implementation of the project's FHMP, the project will also be subject to all fire protection standards for special occupancy parks contained in Article 6 (Fire Protection Standards for Parks), Title 25, Division 1, Chapter 2.2 – Special Occupancy Parks, California Code of Regulations.

*Implementation of the project's Fire Hazard Management Plan, applicable fire safe standards contained in the state Public Resources Code, and applicable fire standards for special occupancy parks will reduce potentially significant impacts associated with exposure of people to pollutant concentrations or uncontrolled spread of wildfire to a less than significant level.*

#### **B.20.c Infrastructure**

A significant impact would occur if the project required installation or maintenance of infrastructure that would exacerbate fire risk or result in impacts to the environment. The project is not located in the Very High Fire Hazard Severity Zone. As noted above, the FHMP prepared for the project concluded that on-site wildfire ignitions could occur as a result of campfires, stoves, cigarettes, arson, or equipment use. It further concludes that the provided maintained areas and fuel modification buffers will significantly reduce the likelihood of fire spreading off the site. Fire risk at the site will be managed through annually maintaining the recommended fuel modification around the project, ensuring the required fire department access roadways and water supply systems are fully operational, and regularly informing guests of the fire protection features and evacuation plans. The campground project will be operated to reduce wildfire potential to the maximum extent feasible. The project would provide propane campfire pits for each of the premium tents in Phase 2, with no solid fuel (wood) fire pits to be installed on the project site. A single communal propane fire pit will be installed in the communal fire pit between the bathhouse and office. This unit may be converted to wood fuel during the winter season.

The FHMP states that large metal rings would be installed to contain burning material around the fire pits, with a mesh screen installed to encompass and cover the fire as a spark arrestor. The lighting, maintenance, and extinguishing of these campfires would be managed by camp staff. A 30-foot Fuel Modification Area is recommended for the communal fire pits, measured horizontally from the outermost edge of the fire pit enclosure in all directions. Tree branches and other vegetation above each fire pit area are to be removed and maintained to establish clearance to the sky.

Potential impacts from the installation of infrastructure on the environment are addressed in the various sections of this study.

*Implementation of the project's Fire Hazard Management Plan, applicable fire safe standards contained in the state Public Resources Code, and applicable fire standards for special occupancy parks will reduce potentially significant impacts associated with infrastructure installation and maintenance to a less than significant level.*

**B.20.d Exposure of People/Structures to Risks**

A significant impact would occur if the project exposed people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. The project site is not located in the Very High Fire Hazard Severity Zone. The geotechnical engineering investigation prepared for the project states that landslides are not hazards in the area. Flooding is also not a potential hazard on this project site. It is not expected that drainages would be impacted by project development. Mitigation Measure 4.b.1 is proposed to protect drainages on the site. The majority of new structures on the site will be tent cabins. A restroom/bathhouse facility will be constructed.

There may be some runoff, post-fire slope instability and drainage changes on the project site following a fire. This is not an uncommon occurrence in the Sierra foothills. However, there is no information in the record that suggests people or structures on the project site would face significant risks from landslides or flooding as a result of runoff, post fire slope instability or drainage changes. *The project will have a less than significant impact.*

## Section C

### MANDATORY FINDINGS OF SIGNIFICANCE

<i>Finding:</i>	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### **Impact Discussion & Conclusions:**

- The project has the potential to significantly impact biological resources, i.e. ephemeral drainages/riparian features; special status bat species; special status plant species and nesting raptors and migratory birds. Mitigation measures are proposed to reduce these potentially significant impacts to less than significant levels. The project has the potential to impact cultural resources that may be uncovered during project construction. A mitigation measure is proposed to reduce this potentially significant impact to a less than significant level.
- The project will result in increased air emissions, groundwater use, noise, traffic, and demand for public services. The project also has the potential to increase fire danger. However, these impacts are not considered to be significant, are individually limited, and not cumulatively considerable. The project’s potential impacts on on-site biological resources can be reduced to less than significant levels with the implementation of proposed mitigation measures. Off-site resources are also protected through these measures. Therefore, the potential cumulative impact on biological resources from project implementation is considered to be less than significant. The project will not have a cumulatively considerable impact.
- The project does not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

Based upon the environmental review conducted within this Initial Study, and the anticipated level of impact as a result of the project, a mitigated negative declaration will be adopted for the project.

## **Section D**

### **MITIGATION MONITORING**

#### **BIOLOGICAL RESOURCES**

##### **Mitigation Measure 4.a.1:**

*Pre-construction field surveys for special status bat species during the breeding season (April 1st to August 31st) shall be conducted by a qualified biologist to determine whether active roosts are present on site, or within 100 feet of the project boundaries. Areas off the project site that are inaccessible due to private property restrictions shall be surveyed using binoculars from the nearest vantage point. Field surveys shall be conducted early in the breeding season before any construction activities begin, when bats are establishing maternity roosts but before pregnant females give birth (April through early May). Surveys shall be conducted no more than seven days prior to the onset of construction. If no roosting bats are found, then no further mitigation is required. If suitable habitat and/or bat signs are detected, a biologist shall conduct evening visual emergence surveys from one-half hour prior to sunset to one to two hours after sunset for a minimum of two nights. If roosting bats are found, the disturbance of the maternity roosts shall be avoided by halting construction until the end of the breeding season, or a qualified bat biologist excludes the roosting bats in consultation with the California Department of Fish and Wildlife. If construction activities begin prior to April 1, no pre-construction surveys are required. If at any time during the roosting season construction stops for a period of two weeks or longer, pre-construction surveys shall be conducted prior to construction resuming. The Planning Department shall be provided a copy of the results of any survey conducted and evidence that any required mitigation measures have been implemented prior to initiation of construction or grading activities.*

##### **Monitoring for Mitigation Measure 4.a.1:**

*This mitigation measure will be monitored by the Mariposa County Planning Department through the project construction permitting process.*

##### **Mitigation Measure 4.a.2:**

*Pre-construction field surveys for special status plant species identified as having a medium to high potential to occur within the habitats identified on the project site shall be conducted by a qualified biologist prior to commencement of construction activities. Surveys shall be conducted following the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (California Department of Fish and Wildlife, 2018). Surveys are to be conducted in April and June of the year construction is to commence. As an example, if construction is to commence in August of a particular year, surveys conducted in April and June of that year will satisfy the pre-construction survey requirement. Surveys from prior years may be used in a prescribed circumstance. For example, if construction is to commence in May of a particular year, surveys from April of that year and June of the prior year will satisfy the pre-construction survey requirement. If such species are found, the project proponent shall prepare and implement a Transplantation and Monitoring Plan. The Plan shall be subject to review and approval by the California Department of Fish and Wildlife prior to commencement of any construction activities within the special-status plant species area. The Plan shall describe the intent and anticipated success of transplanting, and specific success criteria for transplanted plants and related long-term protection and management of transplanted plants. The Planning Department shall be provided a copy of the results of any pre-construction surveys conducted on the project site and any approved Transplanting and Monitoring Plan and evidence that any required mitigation measures contained in the Plan have been implemented prior to initiation of construction or grading activities.*

**Monitoring for Mitigation Measure 4.a.2:**

This mitigation measure will be monitored by the Mariposa County Planning Department through the project construction permitting process.

**Mitigation Measure 4.b.1:**

*The project proponent shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall be prepared in accordance with State Water Resources Control Board standards and shall include a grading and erosion control plan required for all construction plans to address potential erosion control during construction. All construction plans and activities shall implement Best Management Practices (BMP) to provide effective erosion, runoff, and sediment control. BMPs may include, but not be limited to, the use of straw wattles protecting down slope water features from construction activities, the use of silt fencing, or placement of construction exclusion fencing around stream or wetland resources in the vicinity of an activity. BMPs shall be selected to achieve maximum sediment removal and to represent the best available technology that is economically achievable.*

*If the project design changes and direct impacts to aquatic resources are anticipated, prior to the commencement of construction or grading activities in aquatic resources (such as ephemeral channels) within areas proposed for development, the project proponent shall acquire all applicable state and federal wetland and waters permits.*

*The Planning Department shall be provided a copy of all permit applications and evidence of approval of permits by applicable agencies, and evidence that any required measures approved by applicable agencies to protect water features have been implemented prior to initiation of construction or grading activities.*

**Monitoring for Mitigation Measure 4.b.1:**

This mitigation measure will be monitored by the Mariposa County Planning Department through the project construction process.

**Mitigation Measure 4.d.1:**

*Pre-construction surveys by a qualified biologist for active nests in suitable nesting habitat for raptors and migratory birds within 500 feet of the construction area during the nesting season (February 1 to September 15) shall be conducted. Areas off the project site that are inaccessible due to private property restrictions shall be surveyed using binoculars from the nearest vantage point. The survey shall be conducted no more than seven days prior to the onset of construction. If no active nests are identified during the pre-construction survey, no further mitigation is necessary. If construction activities begin prior to February 1, it is assumed that no birds would nest in the project site during active construction activities and no pre-construction surveys are required. If at any time during the nesting season construction stops for a period of two weeks or longer, pre-construction surveys shall be conducted prior to construction resuming. If active nests are found during the survey, the project proponent shall implement mitigation measures to ensure that the species would not be adversely affected, which would include establishing a no-work buffer zone as, approved by the California Department of Fish and Wildlife, around the active nest. Measures shall include, but would not be limited to:*

1. *For trees with active nests, the project proponent shall conduct any tree removal activities required for project construction outside of the migratory bird breeding season (February 1 through September 15).*

2. *If active nests are found on or within 500 feet of the project site, then the project proponent shall establish no disturbance buffers for active nests of 250 feet for migratory bird species and 500 feet for raptor species until the breeding season has ended, or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Depending on the conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without impacting the breeding effort. Nests that are inaccessible due to private property restrictions shall be monitored using binoculars from the nearest vantage point. Construction activities may be halted at any time if, in the professional opinion of the biologist, construction activities are affecting the breeding effort.*
3. *Depending on conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without impacting the breeding effort. In this case (to be determined on a case-by-case basis), the nest(s) shall be monitored by a qualified biologist during construction within the buffer. If, in the professional opinion of the monitor the project would impact the nest, the biologist shall immediately inform the construction manager and the project proponent shall notify the California Department of Fish and Wildlife. The construction manager shall stop construction activities within the buffer until the nest is no longer active. Completion of the nesting cycle shall be determined by a qualified biologist. If construction begins outside of the migratory bird breeding season (February 1 through September 15), then the project proponent is permitted to continue construction activities throughout the breeding season.*

*The Planning Department shall be provided a copy of the results of any survey conducted and evidence that any required mitigation measures have been implemented prior to initiation of construction or grading activities.*

**Monitoring for Mitigation Measure 4.d.1:**

This mitigation measure will be monitored by the Mariposa County Planning Department through the project construction permitting process.

## **CULTURAL RESOURCES**

**Mitigation Measure 5.c.1:**

*In the event human remains, artifacts, or potentially significant cultural resources are discovered during ground disturbance on the project site, a Native American monitor shall be on-site for the duration of ground disturbance. During road grading, soil testing and/or construction, or any activity that involves ground disturbance necessary to implement the project, if any signs of prehistoric, historic, archaeological, paleontological resources are evident, all work activity within fifty (50) feet of the find shall stop and the Mariposa County Planning Department shall be notified immediately. No work shall be done within fifty (50) feet of the find until Planning has identified appropriate measures to protect the find and those measures have been implemented by the applicant. Protection measures for the site may include, but not be limited to, requiring the applicant to hire a qualified archaeologist who shall conduct necessary inspections and research, and who may supervise all further ground disturbance activities and make any such recommendations as necessary to ensure compliance with applicable regulations. In addition to the Planning Department, the Mariposa County Coroner and the Native American Heritage Commission (NAHC) shall be notified should human remains be discovered. If the remains are determined by the Native American Heritage Commission to be Native American, the NAHC guidelines shall be adhered to in treatment and disposition of the remains. Representatives of the Most Likely Descendant shall be requested to be on-site during disturbance and/or removal of human remains.*

**Monitoring for Mitigation Measure 5.c.1:** The applicant or his on-site designee shall be responsible for ensuring compliance with this mitigation and the Mariposa County Planning Department will monitor the measure through the project construction permitting process.



# MARIPOSA PLANNING

## COUNTY OF MARIPOSA

5100 BULLION STREET • POST OFFICE BOX 2039

MARIPOSA, CALIFORNIA 95338-2039

PHONE 209 . 966 . 5151 • FAX 209 . 742 . 5024

### APPLICANT'S AGREEMENT TO MITIGATION

**Project title:** Commercial-Industrial-Manufacturing (CIM) Plan No. 2021-124, Wildhaven Yosemite

**Project Applicant:** CalCamp2 LLC, dba Wildhaven Yosemite  
996 Grove Street  
Healdsburg, CA 95448

The project applicant, CalCamp2 LLC, dba Wildhaven Yosemite, agrees to the following mitigation measures as required by Section 15070(b)(1) of the CEQA Guidelines and project plans will be modified to avoid potential adverse physical effects of the project as identified in this study:

### BIOLOGICAL RESOURCES

#### **Mitigation Measure 4.a.1:**

*Pre-construction field surveys for special status bat species during the breeding season (April 1st to August 31st) shall be conducted by a qualified biologist to determine whether active roosts are present on site, or within 100 feet of the project boundaries. Areas off the project site that are inaccessible due to private property restrictions shall be surveyed using binoculars from the nearest vantage point. Field surveys shall be conducted early in the breeding season before any construction activities begin, when bats are establishing maternity roosts but before pregnant females give birth (April through early May). Surveys shall be conducted no more than seven days prior to the onset of construction. If no roosting bats are found, then no further mitigation is required. If suitable habitat and/or bat signs are detected, a biologist shall conduct evening visual emergence surveys from one-half hour prior to sunset to one to two hours after sunset for a minimum of two nights. If roosting bats are found, the disturbance of the maternity roosts shall be avoided by halting construction until the end of the breeding season, or a qualified bat biologist excludes the roosting bats in consultation with the California Department of Fish and Wildlife. If construction activities begin prior to April 1, no pre-construction surveys are required. If at any time during the roosting season construction stops for a period of two weeks or longer, pre-construction surveys shall be conducted prior to construction resuming. The Planning Department shall be provided a copy of the results of any survey conducted and evidence that any required mitigation measures have been implemented prior to initiation of construction or grading activities.*

#### **Monitoring for Mitigation Measure 4.a.1:**

This mitigation measure will be monitored by the Mariposa County Planning Department through the project construction permitting process.

#### **Mitigation Measure 4.a.2:**



*Pre-construction field surveys for special status plant species identified as having a medium to high potential to occur within the habitats identified on the project site shall be conducted by a qualified biologist prior to commencement of construction activities. Surveys shall be conducted following the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (California Department of Fish and Wildlife, 2018). Surveys are to be conducted in April and June of the year construction is to commence. As an example, if construction is to commence in August of a particular year, surveys conducted in April and June of that year will satisfy the pre-construction survey requirement. Surveys from prior years may be used in a prescribed circumstance. For example, if construction is to commence in May of a particular year, surveys from April of that year and June of the prior year will satisfy the pre-construction survey requirement. If such species are found, the project proponent shall prepare and implement a Transplantation and Monitoring Plan. The Plan shall be subject to review and approval by the California Department of Fish and Wildlife prior to commencement of any construction activities within the special-status plant species area. The Plan shall describe the intent and anticipated success of transplanting, and specific success criteria for transplanted plants and related long-term protection and management of transplanted plants. The Planning Department shall be provided a copy of the results of any pre-construction surveys conducted on the project site and any approved Transplanting and Monitoring Plan and evidence that any required mitigation measures contained in the Plan have been implemented prior to initiation of construction or grading activities.*

**Monitoring for Mitigation Measure 4.a.2:**

This mitigation measure will be monitored by the Mariposa County Planning Department through the project construction permitting process.

**Mitigation Measure 4.b.1:**

*The project proponent shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall be prepared in accordance with State Water Resources Control Board standards and shall include a grading and erosion control plan required for all construction plans to address potential erosion control during construction. All construction plans and activities shall implement Best Management Practices (BMP) to provide effective erosion, runoff, and sediment control. BMPs may include, but not be limited to, the use of straw wattles protecting down slope water features from construction activities, the use of silt fencing, or placement of construction exclusion fencing around stream or wetland resources in the vicinity of an activity. BMPs shall be selected to achieve maximum sediment removal and to represent the best available technology that is economically achievable.*

*If the project design changes and direct impacts to aquatic resources are anticipated, prior to the commencement of construction or grading activities in aquatic resources (such as ephemeral channels) within areas proposed for development, the project proponent shall acquire all applicable state and federal wetland and waters permits.*

*The Planning Department shall be provided a copy of all permit applications and evidence of approval of permits by applicable agencies, and evidence that any required measures approved by applicable agencies to protect water features have been implemented prior to initiation of construction or grading activities.*

**Monitoring for Mitigation Measure 4.b.1:**

This mitigation measure will be monitored by the Mariposa County Surveyor and the Mariposa County Planning Department through the project construction process.

**Mitigation Measure 4.d.1:**

*Pre-construction surveys by a qualified biologist for active nests in suitable nesting habitat for raptors and migratory birds within 500 feet of the construction area during the nesting season (February 1 to September 15) shall be conducted. Areas off the project site that are inaccessible due to private property restrictions shall be surveyed using binoculars from the nearest vantage point. The survey shall be conducted no more than seven days prior to the onset of construction. If no active nests are identified during the pre-construction survey, no further mitigation is necessary. If construction activities begin prior to February 1, it is assumed that no birds would nest in the project site during active construction activities and no pre-construction surveys are required. If at any time during the nesting season construction stops for a period of two weeks or longer, pre-construction surveys shall be conducted prior to construction resuming. If active nests are found during the survey, the project proponent shall implement mitigation measures to ensure that the species would not be adversely affected, which would include establishing a no-work buffer zone as, approved by the California Department of Fish and Wildlife, around the active nest. Measures shall include, but would not be limited to:*

- 1. For trees with active nests, the project proponent shall conduct any tree removal activities required for project construction outside of the migratory bird breeding season (February 1 through September 15).*
- 2. If active nests are found on or within 500 feet of the project site, then the project proponent shall establish no disturbance buffers for active nests of 250 feet for migratory bird species and 500 feet for raptor species until the breeding season has ended, or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Depending on the conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without impacting the breeding effort. Nests that are inaccessible due to private property restrictions shall be monitored using binoculars from the nearest vantage point. Construction activities may be halted at any time if, in the professional opinion of the biologist, construction activities are affecting the breeding effort.*
- 3. Depending on conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without impacting the breeding effort. In this case (to be determined on a case-by-case basis), the nest(s) shall be monitored by a qualified biologist during construction within the buffer. If, in the professional opinion of the monitor the project would impact the nest, the biologist shall immediately inform the construction manager and the project proponent shall notify the California Department of Fish and Wildlife. The construction manager shall stop construction activities within the buffer until the nest is no longer active. Completion of the nesting cycle shall be determined by a qualified biologist. If construction begins outside of the migratory bird breeding season (February 1 through September 15), then the project proponent is permitted to continue construction activities throughout the breeding season.*

*The Planning Department shall be provided a copy of the results of any survey conducted and evidence that any required mitigation measures have been implemented prior to initiation of construction or grading activities.*

**Monitoring for Mitigation Measure 4.d.1:**

This mitigation measure will be monitored by the Mariposa County Planning Department through the project construction permitting process.

## CULTURAL RESOURCES

### **Mitigation Measure 5.c.1:**

*In the event human remains, artifacts, or potentially significant cultural resources are discovered during ground disturbance on the project site, a Native American monitor shall be on-site for the duration of ground disturbance. During road grading, soil testing and/or construction, or any activity that involves ground disturbance necessary to implement the project, if any signs of prehistoric, historic, archaeological, paleontological resources are evident, all work activity within fifty (50) feet of the find shall stop and the Mariposa County Planning Department shall be notified immediately. No work shall be done within fifty (50) feet of the find until Planning has identified appropriate measures to protect the find and those measures have been implemented by the applicant. Protection measures for the site may include, but not be limited to, requiring the applicant to hire a qualified archaeologist who shall conduct necessary inspections and research, and who may supervise all further ground disturbance activities and make any such recommendations as necessary to ensure compliance with applicable regulations. In addition to the Planning Department, the Mariposa County Coroner and the Native American Heritage Commission (NAHC) shall be notified should human remains be discovered. If the remains are determined by the Native American Heritage Commission to be Native American, the NAHC guidelines shall be adhered to in treatment and disposition of the remains. Representatives of the Most Likely Descendant shall be requested to be on-site during disturbance and/or removal of human remains.*

**Monitoring for Mitigation Measure 5.c.1:** The applicant or his on-site designee shall be responsible for ensuring compliance with this mitigation and the Mariposa County Planning Department will monitor the measure through the project construction permitting process.

By: Brian Lawrence Date: 11/3/21  
Brian Lawrence, Managing Member  
CalCamp2 LLC, dba Wildhaven Yosemite